GAO

Resources, Community, and Economic Development Division

September 1990

# ENVIRONMENTAL PROTECTION

Bibliography of GAO Documents, August 1988-April 1990





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### Foreword

An important issue in public policy decisionmaking is protecting the environment by limiting the amount of pollution that can be tolerated without endangering the health and welfare of human beings and the ecological systems in which we live. Protecting the environment involves regulatory and financial assistance programs to control and abate hazardous wastes, toxic chemicals, and other pollutants that seep into the nation's water, contaminate the land, and poison the air. Which pollutants and what levels of controls are needed, how to balance environmental protection with other equally desirable national goals, and how to maximize the billions of dollars spent on environmental controls—all represent important national concerns.

This bibliography includes information on U.S. General Accounting Office (GAO) documents issued between August 1988 and April 1990 that directly or indirectly discuss environmental protection. A previous GAO environmental bibliography GAO/RCED-89-23, included documents issued between January 1985 and August 1988. Although the Resources, Community, and Economic Development Division (RCED) is GAO's lead division for reviews of environmental protection, a broad interrelationship exists between the environmental area and other areas GAO addresses such as health, energy, transportation, agriculture, and natural resources. This bibliography, therefore, includes information on documents issued by other GAO divisions and offices that have linkages to environmental protection issues.

This bibliography should be useful for general information and research purposes and for understanding issues in the environmental protection area that are being addressed by GAO. Questions regarding its contents should be directed to Peter Guerrero, Associate Director, or Bernice Steinhardt, Issue Area Planner, U.S. General Accounting Office, Room M-1002, 401 M Street, S.W., Washington, D.C. 20460, (202) 252–0600. Readers interested in ordering individual documents in the environmental protection or other areas, or in requesting bibliographic searches on a specific topic, should call the GAO Document Handling and Information Service (202) 275–6241. The cards included in this book also may be used to order documents.

Richard L. Hembra, Director Environmental Protection Issues Resources, Community, and Economic Development Division

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### Introduction

This Environmental Protection Bibliography contains citations and abstracts of relevant documents released by GAO from August 1988 through April 1990. It updates the previous bibliography (GAO/RCED-89-23), which included documents released from January 1985 through August 1988. Included are references to reports, speeches, testimonies, and other GAO documents. This bibliography can be used for a variety of purposes, including in-depth research into a specific topic, searching for a particular document, maintaining current awareness, and general information.

# How To Use The Bibliography

The bibliography is organized into two sections: an INDEX SECTION (yellow pages) and a CITATION SECTION (white pages).

The INDEX SECTION is the key for locating references to related documents cited in this bibliography. The section is comprised of four separate indexes that classify information according to:

#### Subject

#### Agency or organization

(Includes both Federal agencies and nongovernmental corporate bodies)

#### Congressional affiliation

(Includes entries under relevant congressional committees and individual Representatives and Senators)

#### **Document number**

(Includes entries arranged by report number and by B-number and date)

Reference from the index entries to the corresponding citations is provided by a unique six-digit accession number assigned to each citation. This accession number should also be used to request copies of the actual document described in the citation.

A sample entry is shown at the beginning of each index and at the beginning of the Citation Section.

The CITATION SECTION consists of brief descriptions of the documents and often includes an informative abstract. Some or all of the following information is in each citation, as appropriate:

- Title/Subtitle
- Type, date, and pagination
- Author or witness
- GAO issue areas
- Agencies or organizations concerned
- Congressional Committees, Members of Congress, or agencies to whom the document is specifically relevant
- Law and/or related statutory or regulatory authority on which the document is based
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The entries in this index include both federal agencies and nongovernmental corporate bodies with which the document is concerned, in one alphabetic sequence. The federal department and agencies standing alone are those which appear in bold face type in the United States Government Manual. Other federal entities are listed under their respective departments and agencies, e.g. documents related to the National Park Service will be listed under National Park Service, but documents related to VISTA will be listed under ACTION.

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Torres of Decomposit	James J. Florio, Chairman, House	Addressee
Type of Document	Committee on Energy and Commerce:	
	Commerce, Transportation, and Tourism	
	Subcommittee; by Hugh J. Wessinger, Senior Associate Director, Resources,	—— Author
	Community, and Economic Development	
	Division. Refer to RCED-86-123, May 6,	
	1986, Accession Number 130081.	
	1300, Accession Number 100001.	
GAO Issue Area	- Issue Area: Environment: Assessing	
	EPA's Cleanup of the Worst Abandoned	
	Hazardous Waste Sites (6803).	
	Contact: Resources, Community, and	GAO Contact
5 1 15 17	Economic Development Division.	arts contact
Budget Function———	- Budget Function: Natural Resources	
(Code Numbers in Parentheses)	and Environment: Pollution Control and Abatement (304.0).	
	Organization Concerned:	
	Environmental Protection Agency.	
	Congressional Relevance; House	Agency/Organization Concerned
	Committee on Energy and Commerce:	
	Commerce, Transportation, and Tourism	
	Subcommittee; Rep. James J. Florio.	—— Congressional Relevance
Legislative Authority	- Authority: Comprehensive	
·	Environmental Response, Compensation,	
	and Liability Act of 1980.	
Abstract———	- Abstract: In response to a congressional	
	request, GAO reviewed the	
	Environmental Protection Agency's	
	(EPA) compliance monitoring of	
	responsible party settlements for	
	cleanup at priority hazardous waste sites	
	and prepared a fact sheet summarizing its findings.	
Findings/Conclusions	Findings/Conclusions: EPA has the	
r indings/ conclusions	authority to compel parties responsible	
	for hazardous site conditions to either	
	perform cleanups themselves or	
	reimburse the government for cleaning	
	up the site. GAO: (1) obtained	
<b>~</b>	information on the number, type, and	
	status of responsible party cleanup	
	activities at sites which were designated	
	as the nation's worst; (2) obtained from	
	EPA the estimated value of settlements	
	reached and the estimated amount spent	
	at those sites; and (3) verified responsible	

#### 136459

[Management of Public Rangelands by the Bureau of Land Management]. T-RCED-88-58.

August 2, 1988. 6 pp. plus 2 attachments (8 pp.). Testimony before the House Committee on Interior and Insular Affairs:

National Parks and Public Lands Subcommittee; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-80, June 10, 1988, Accession Number 136027; and RCED-88-105, June 30, 1988, Accession Number 136218.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Bureau of Land Management.

Congressional Relevance: House Committee on Interior and Insular Affairs: National Parks and Public Lands Subcommittee.

Authority: Grazing Act. Land Policy and Management Act.

Abstract: GAO discussed how the Bureau of Land Management (BLM) administered public rangelands. GAO found that: (1) although Congress mandated that BLM manage rangelands for the benefit of all and to ensure their future maintenance, much rangeland remained in unsatisfactory condition; (2) almost 60 percent of the grazing allotments were in only poor or fair condition and the riparian areas were worse; (3) the primary cause of rangeland and riparian degradation is poorly managed livestock grazing, since livestock tend to congregate in riparian areas, eat most of the vegetation, and trample streambanks; (4) BLM has done little to reduce authorized grazing levels in overgrazed areas and has not established appropriate grazing levels: (5) BLM staff believe that neither BLM management nor ranchers would support efforts to improve riparian areas; and (6) BLM reduced staffing levels for those specialist positions needed to achieve range management goals. GAO believes that BLM needs to: (1) establish finite goals for riparian-area restoration; and (2) annually measure the progress made to achieve those goals.

#### 136504

Aircraft Noise: Implementation of FAA's Expanded East Coast Plan. RCED-88-143; B-230870. August 5, 1988. 10 pp. plus 8 appendices (49 pp.). Report to Rep. Jim Courter; Rep. James J. Florio; Rep. Dean A. Gallo; Rep. Matthew J. Rinaldo; Rep.

Peter W. Rodino; Rep. Marge Roukema; Rep. Christopher H. Smith; Rep. Robert G. Torricelli; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-84, May 8, 1989, Accession Number 138774; RCED-89-189, September 14, 1989, Accession Number 139584; T-RCED-90-4, October 26, 1989, Accession Number 139890; and RCED-90-11, October 12, 1989, Accession Number 140041.

**Issue Area:** Transportation: Other Issue Area Work (6691).

Contact: Resources, Community, and Economic Development Division. Budget Function: Transportation: Air Transportation (402.0).

Organization Concerned: Department of Transportation; Federal Aviation Administration.

Congressional Relevance: House
Committee on Appropriations:
Transportation Subcommittee; House
Committee on Public Works and
Transportation; Senate Committee on
Appropriations: Transportation
Subcommittee; Senate Committee on
Commerce, Science and Transportation;
Rep. Matthew J. Rinaldo; Rep. Dean A.
Gallo; Rep. James J. Florio; Rep. Jim
Courter; Rep. Robert G. Torricelli; Rep.
Christopher H. Smith; Rep. Marge
Roukema; Rep. Peter W. Rodino, Jr. .
Authority: Environmental Policy Act of
1969 (National).

Abstract: Pursuant to a congressional request, GAO reviewed the Federal Aviation Administration's (FAA) implementation of its Expanded East Coast Plan, focusing on: (1) agencies' responsibilities for assessing the environmental impact of revising air routes and flight procedures; (2) the plan's effects on noise and air routes; (3) how FAA measured aircraft noise; (4) reasons why FAA did not perform an environmental assessment of the plan; and (5) actions FAA took in response to citizens' complaints regarding increased aircraft noise.

Findings/Conclusions: GAO found that FAA: (1) designed the plan to reduce air traffic delays by revising air traffic control routes and flight procedures; (2) had sole responsibility for assessing the plan's environmental impact and used a measure of day-night noise level (Ldn) to determine cumulative exposure to aircraft noise; (3) did not assess the plan's environmental impact, based on its long-standing policy to exempt routes and flight procedures carried out at over 3,000 feet from such assessment; and (4) concluded that the plan significantly

reduced flight delays, but failed to link any delay reductions to specific plan components. GAO also found that: (1) the plan resulted in three new departure routes, two new arrival routes, and six realigned routes over New Jersey; (2) New Jersey residents lodged numerous complaints about increased aircraft noise after the plan's implementation; (3) a 1day FAA study in one affected area showed aircraft noise to be within FAA guidelines; and (4) in response to citizen complaints, FAA directed air traffic controllers to, when possible, direct flights along more varied paths to spread traffic over a wider area.

Recommendation To Agencies: The Secretary of Transportation should direct the Administrator, FAA, to improve the information base available on which to assess the merits of the Expanded East Coast Plan and other such major airspace changes by: (1) preparing an environmental assessment of the effects of the plan and, if significant impacts from the plan are found, preparing an environmental impact statement; (2) making a qualitative determination of which portions of the reduced delays are due to the plan and which are due to other factors; and (3) preparing an environmental assessment of any major proposal for making widespread air route or flight procedure changes on the West Coast or in other areas of the country where delays and congestion warrant such changes.

#### 136508

[Background and Business Relationships of Envirosure Management Corporation]. T-OSI-88-6. August 10, 1988. 7 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by David C. Williams, Director, Office of Special Investigations. Refer to T-RCED-87-13, April 6, 1987, Accession Number 132598.

Contact: Office of Special Investigations.
Organization Concerned:
Environmental Protection Agency; PCB,
Inc.; C.B. Oil, Inc.; Marc Equity Realty
Associates; Envirosure Management
Corp.; Defense Logistics Agency.
Congressional Relevance: House

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee. .

Abstract: GAO discussed its investigation of a waste management firm's background and business

relationships. GAO noted that the Buffalo, New York-based firm, incorporated in July 1984: (1) specialized in the disposal of polychlorinated biphenyls (PCB); and (2) had commercial, industrial, and government customers, at one time deriving 60 percent of its business from the Defense Logistics Agency. GAO also noted that the: (1) former owner of another waste management firm allegedly broke his noncompetition agreement with its acquirers by lending \$1 million to finance the establishment of the firm under investigation; (2) firm allegedly repaid the loan by selling stock into a trust fund for the lender's daughter; (3) lender became a consultant with the firm shortly after the noncompetition agreement expired; (4) lender owned the property the firm leased for its headquarters and waived the firm's lease payments when it experienced financial difficulties; (5) firm frequently conducted business with other companies the lender owned; (6) firm's owners, stockholders, and executives were jointly involved in numerous business enterprises; (7) firm had an exclusive marketing agreement with two Kansas City waste disposal firms; and (8) **Environmental Protection Agency** repeatedly cited those two firms and some of their affiliates for noncompliance with PCB regulations. In addition, GAO noted that many of the individuals involved with the firm declined to talk with GAO but denied allegations regarding their financial backing of and involvement with the firm.

## 136566

Airspace Use: FAA Needs to Improve Its Management of Special Use Airspace. RCED-88-147; B-226538. August 5, 1988.

Released August 15, 1988. 9 pp. plus 11 appendices (30 pp.). Report to Sen. Jesse A. Helms; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-133FS, April 29, 1988, Accession Number 135748; and RCED-89-84, May 8, 1989, Accession Number 138774.

Issue Area: Transportation: FAA Management of the Controller Work Force (6607).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Transportation: Air Transportation (402.0).

Organization Concerned: Federal Aviation Administration; Department of Transportation; Council on Environmental Quality; Department of Defense; Department of the Navy. Congressional Relevance: House Committee on Appropriations: Transportation Subcommittee; House Committee on Public Works and Transportation: Aviation Subcommittee; Senate Committee on Appropriations: Transportation Subcommittee; Senate Committee on Commerce, Science and Transportation: Aviation Subcommittee; Sen. Jesse A. Helms.

Authority: Environmental Policy Act of 1969 (National). Aviation Act.

Abstract: In response to a congressional request, GAO evaluated the Federal Aviation Administration's (FAA) management of special-use airspace set aside for military training, focusing on its: (1) approval process for special-use proposals; and (2) monitoring of existing special-use airspace.

Findings/Conclusions: GAO found that FAA: (1) lacked adequate data to effectively manage special-use airspace areas and did not require military services to provide such data; (2) did not establish guidance for its regions to reduce or eliminate inappropriate use of special airspace areas; and (3) planned to discuss its role in evaluating military environmental assessments in specialuse proposals with the Council on Environmental Quality. GAO noted that, in 1987, two Navy staff studies on special-use airspace utilization showed that the Navy: (1) lacked a standard, centralized system for documenting and reporting its airspace usage; and (2) inefficiently and inappropriately used special airspace areas.

Recommendation To Agencies: The Secretary of Transportation should direct the Administrator, FAA, to require standardized user reporting of actual usage data for restricted areas and expand the reporting requirement to other areas, such as military operations areas. The Secretary of Transportation should direct the Administrator, FAA, to review periodically the usage reports and ensure that the airspace is being used for the designated purpose. The Secretary of Transportation should direct the Administrator, FAA, to establish standards for measuring the effectiveness of special-use airspace utilization to develop a starting point for all regional discussion of modification or disestablishment of special-use airspace.

# 136581

Environmental Protection Agency: Protecting Human Health and the Environment Through Improved Management. RCED-88-101; B-231234. August 16, 1988. 235 pp. plus

5 appendices (11 pp.). Report to Congress; by Charles A. Bowsher, Comptroller General. Refer to The GAO Journal, No. 3, Fall 1988, pp. 18-20, Accession Number 137159; PEMD-87-14, September 30, 1987 Accession Number 134077; RCED-88-1, October 26, 1987, Accession Number 134238; CED-81-30, April 30, 1987, Accession Number 115081: RCED-85-166, September 5, 1985 Accession Number 128069; RCED-87-27, December 23, 1986, Accession Number 132009; RCED-87-170, August 28, 1987, Accession Number 134121; CED-80-106, August 22, 1980, Accession Number 113122; RCED-86-34, November 13, 1985, Accession Number 128766; PAD-82-15, March 23, 1982, Accession Number 117921; OCG-89-8TR, November 1988 Accession Number 137334; RCED-89-164, August 21, 1989, Accession Number 139963; T-RCED-90-26, February 8, 1990, Accession Number 140565; T-RCED-90-25, February 7, 1990, Accession Number 140568; and T-RCED-90-46, March 7, 1990, Accession Number 140805.

Issue Area: Environmental Protection: Assessing EPA's Initial Efforts To Address Problems Posed by Past Hazardous Waste Disposal Practices (6801).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0); General Government: Executive Direction and Management (802.0); Financial Management and Information Systems (998.0).

# Organization Concerned:

Environmental Protection Agency;
Environmental Protection Agency:
Region IV, Atlanta, GA; Environmental
Protection Agency: Region X, Seattle,
WA; Environmental Protection Agency:
Office of Solid Waste and Emergency
Response; Environmental Protection
Agency: Office of Administration and
Resources Management; Environmental
Protection Agency: Office of Policy,
Planning, and Evaluation;
Environmental Protection Agency: Office
of the Comptroller.

Congressional Relevance: House
Committee on Government Operations;
House Committee on Energy and
Commerce; House Committee on
Appropriations: HUD-Independent
Agencies Subcommittee; Senate
Committee on Governmental Affairs;
Senate Committee on Appropriations:
HUD-Independent Agencies
Subcommittee; Senate Committee on

Environment and Public Works; Congress.

Authority: Clean Air Act. Water Pollution Control Act. Safe Drinking Water Act. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Insecticide, Fungicide and Rodenticide Act. Resource Conservation and Recovery Act of 1976. Toxic Substances Control Act. Marine Protection, Research, and Sanctuaries Act of 1972. Uranium Mill Tailings Radiation Control Act of 1978. Environmental Policy Act of 1969 (National). Food, Drug and Cosmetic Act. Administrative Procedure Act (5 U.S.C. 551 et seq.). Water Pollution Control Act Amendments of 1972 (Federal) (86 Stat. 904). Hazardous and Solid Waste Amendments of 1984. Clean Water Act of 1977. Paperwork Reduction Act of 1980 (P.L. 96-511). Federal Managers' Financial Integrity Act of 1982. Superfund Amendments and Reauthorization Act of 1986. Executive Order 12552. OMB Circular A-130. OMB Circular A-123. OMB Circular A-127.

Abstract: GAO performed a management review of the Environmental Protection Agency (EPA) to determine how EPA can: (1) make and sustain management improvements to strengthen policy development; (2) better achieve program initiatives; (3) improve the integrity of management support systems; and (4) enhance planning for future environmental issues.

Findings/Conclusions: GAO found that EPA actions to increase managerial and operational effectiveness included: (1) managing programs and activities with emphasis on achieving measurable environmental results; (2) establishing more effective working arrangements with states; and (3) obtaining improved financial, management and programmatic information to better set priorities, administer programs, and assess programs. GAO also found that EPA: (1) lacked clearly defined goals for managing for measurable environmental results; (2) has not ranked program priorities or made essential links between actions and desired results; (3) has made only limited progress in developing measures of environmental quality and linking them to program activities; (4) has numerous design and implementation problems and information gaps which limit its research effectiveness; (5) has achieved some success in balancing its oversight needs with states' needs for flexibility and autonomy; and (6) lacked fully developed data standards and data requirements and definitions across programs.

Recommendation To Congress: Congress should clarify how EPA and the states are to share accountability for: (1) meeting national goals and objectives; (2) achievement of environmental results, efficient use of federal funds, and compliance with federal regulations within the individual delegated state programs; and (3) the consistency of programs and activities nationwide. Congress may need to make adjustments in the environmental statutes or the resources provided EPA and the states to carry out their respective roles and meet congressional expectations as to program accountability. Recommendation To Agencies: To enhance and facilitate EPA efforts to

manage for measurable environmental results, the Administrator, EPA, should: (1) develop a clear and cohesive statement of the policy goal to guide all parts of the agency in moving toward managing for measurable environmental results; (2) make clear the relationships between this policy goal and other agency goals and management themes and link them clearly to the annual priority list to establish a basis for tracking their progress in the agency's planning and budgeting systems; and (3) set and communicate clear concepts on how the policy goal relates to current legislation and proposed changes and to agency efforts in addressing environmental problems that cut across several environmental media, using risk assessment and management tools, and developing and using environmental measures and indicators of progress. To better identify the most significant issues to be addressed in order to achieve an integrated, cross-media program for accomplishing measurable environmental results, the Administrator, EPA, should better utilize and build on the results of the Comparative Risk Project, Strategic Planning Initiatives, and initiatives for greater participation by regional offices and the states. This should include beginning the planning to undertake a second Comparative Risk Study in 2 or 3years, when some of the data and analytical gaps have been filled. To better identify the most significant issues to be addressed in order to achieve an integrated, cross-media program for accomplishing measurable environmental results, the Administrator, EPA, should better utilize and build on the results of the Comparative Risk Project, Strategic Planning Initiatives, and initiatives for greater participation by regional offices and the states. This should include articulating decision rules for balancing efforts directed at human health and

those aimed at preserving and maintaining the environment. To better identify the most significant issues to be addressed in order to achieve an integrated, cross-media program for accomplishing measurable environmental results, the Administrator, EPA, should better utilize and build on the results of the Comparative Risk Project, Strategic Planning Initiatives, and initiatives for greater participation by regional offices and the states. This should include undertaking risk studies in all 10 regions to build the analytical base for regional office participation in the development of the priority list and the Agency Operating Guidance. To better identify the most significant issues to be addressed in order to achieve an integrated, cross-media program for accomplishing measurable environmental results, the Administrator, EPA, should better utilize and build on the results of the Comparative Risk Project, Strategic Planning Initiatives, and initiatives for greater participation by regional offices and the states. This should include ensuring that, as priorities are refined through additional analysis, they are linked to proposals for legislative changes and reflected in budget formulation, the Agency Operating Guidance, allocation of resources to the regions, and accountability measures. To better identify the most significant issues to be addressed in order to achieve an integrated, cross-media program for accomplishing measurable environmental results, the Administrator, EPA, should better utilize and build on the results of the Comparative Risk Project, Strategic Planning Initiatives, and initiatives for greater participation by regional offices and the states. This should include using the waste system flow chart developed by the Office of Solid Waste and Emergency Response in its Strategic Planning Initiative as a technique to include more pollution sources and their pathways and receptors to permit wider consideration of cross-media transfers and possible solutions. To better identify the most significant issues to be addressed in order to achieve an integrated, cross-media program for accomplishing measurable environmental results, the Administrator, EPA, should better utilize and build on the results of the Comparative Risk Project, Strategic Planning Initiatives, and initiatives for greater participation by regional offices and the states. This should include utilizing the experience of the Near

Coastal Waters Strategic Planning

Initiative in developing strategies in other program areas. Specifically, the problem definition, consideration of options, and ranking system used to classify estuaries and near coastal waters by severity of problems can be adapted to better focus attention on sites with the most environmentally significant problems. To better identify the most significant issues to be addressed in order to achieve an integrated, cross-media program for accomplishing measurable environmental results, the Administrator, EPA, should better utilize and build on the results of the Comparative Risk Project, Strategic Planning Initiatives, and initiatives for greater participation by regional offices and the states. This should include involving the regions more effectively in the development of agency priorities by having them develop and rank their own priorities and give a regional presentation at the annual planning meeting. To provide better guidance for developing resource requirements and making trade-offs during budget formulation, developing operational plans and budgets, and selecting appropriate accountability measures, the Administrator, EPA, should revise the priority list to: (1) state priorities in measurable short- and long-term statements to provide the missing link between policy guidance in the priority list, the Agency Operating Guidance, and managerial accountability; and (2) provide a way to determine relative importance by ranking the priority list. To provide an operational link between work done and results to be achieved, as indicated by measurable priority statements, the Administrator, EPA, should refine planning system accountability measures by stating measures and objectives in terms that are both operational and measurable. To provide an operational link between work done and results to be achieved, as indicated by measurable priority statements, the Administrator, EPA, should refine planning system accountability measures by including productivity goals in the measures as a way of assessing quality, timeliness, and efficiency of service delivery. To better link decisions on what areas are of greatest importance to the agency, as indicated in the priority list, with the formulation of the future-year budget, the Administrator, EPA, should make greater use of existing flexibility to shift resources to higher priority issues by consulting regularly with Congress to identify areas of flexibility under current law and gain congressional support where changes are needed. To

better link decisions on what areas are of greatest importance to the agency, as indicated in the priority list, with the formulation of the future-year budget, the Administrator, EPA, should make greater use of existing flexibility to shift resources to higher priority issues by utilizing the Statutory Review Project to document existing areas of legislative flexibility, inform executives and managers, identify legislative barriers to be addressed, and prepare proposals for legislative changes required. To better link decisions on what areas are of greatest importance to the agency, as indicated in the priority list, with the formulation of the future-year budget, the Administrator, EPA, should make greater use of existing flexibility to shift resources to higher priority issues by using flexibility consistent with current and proposed legislation to shift a percentage of the total agency budget annually from issues of lower priority to those of higher priority. To better link decisions on what areas are of greatest importance to the agency, as indicated in the priority list, with the formulation of the future-year budget, the Administrator, EPA, should make greater use of existing flexibility to shift resources to higher priority issues by increasing the Administrator's options for shifting resources across media and program offices by modifying the budget guidance to ask assistant administrators to submit, with their proposed budgets, information on how they would accomplish their work within a percent range of fewer resources in lowerpriority activities and how additional resources could achieve greater measurable results in higher-priority activities. To better link decisions on what areas are of greatest importance to the agency, as indicated in the priority list, with the formulation of the futureyear budget, the Administrator, EPA, should make greater use of existing flexibility to shift resources to higher priority issues by refocusing the lead region approach to reflect cross-media planning and budgeting and to enhance regional participation in budgeting. To ensure that operational planning drives the development of operating budgets and to improve linkages between agency planning and budget systems so that resource allocation supports accomplishment of the Administrator's priorities, the Administrator, EPA, should correct the timing of the development of operating budgets, including the use of work-load models for allocating regional resources, so that the development of operational plans to carry out the Agency Operating Guidance precedes allocation of

resources. To ensure that operational planning drives the development of operating budgets and to improve linkages between agency planning and budget systems so that resource allocation supports accomplishment of the Administrator's priorities, the Administrator, EPA, should build institutional mechanisms between the Office of Policy, Planning, and Evaluation and the Office of Administration and Resources Management by: (1) combining annual guidance for operational planning and developing operating budgets into a single document that clearly links the two; and (2) instituting joint reviews of proposed plans and budgets by the Office of Policy, Planning, and Evaluation and the Comptroller's Office to ensure that the two processes are serving their appropriate roles in supporting the priority list. To ensure that operational planning drives the development of operating budgets and to improve linkages between agency planning and budget systems so that resource allocation supports accomplishment of the Administrator's priorities, the Administrator, EPA, should correct the current lack of integration of planning and budgeting in the Resource Planning and Budgeting Manual and the Strategic Planning and Management System Reference Paper by issuing a joint, comprehensive, consistent document or correcting and more adequately reflecting both systems in separate documents on each. To more fully utilize its reprogramming authority to shift resources to priority issues during the execution phase of the management cycle and better link oversight activities regarding the achievement of planned goals, including planning system targets, and the use of resources, the Administrator, EPA, should provide guidance on available reprogramming flexibility and, through meetings and training sessions, inform program and regional office officials about the conditions for using this flexibility. To more fully utilize its reprogramming authority to shift resources to priority issues during the execution phase of the management cycle and better link oversight activities regarding the achievement of planned goals, including planning system targets, and the use of resources, the Administrator, EPA, should revise the Resource Planning and Budgeting Manual to stress the use of reprogramming as a method of responding to agency priorities. For example, the section on reprogramming, as it applies to budget execution, needs to emphasize its use as a way to shift funds to priority list areas. To more fully

utilize its reprogramming authority to shift resources to priority issues during the execution phase of the management cycle and better link oversight activities regarding the achievement of planned goals, including planning system targets, and the use of resources, the Administrator, EPA, should use the quarterly planning system reviews as a combined progress review on performance targets and review of resource utilization to identify opportunities to reprogram funds from lower to higher priorities. This could include: (1) considering issues in the priority list for the operating year, as well as for the future fiscal year, as candidates for resource shifts in quarterly reviews with national program managers and review sessions with regional offices; and (2) reviewing the extent to which various levels of management are using reprogramming to move resources from lower priority areas to higher priority issues. To revitalize and better direct EPA efforts to identify environmental measures, as a way of achieving its goal of managing for measurable environmental results, the Administrator, EPA, should adopt the framework for organizing and collecting management and environmental data and concentrate agency efforts on identifying and testing the best available measures. The process should include assigning specific responsibility for the effort and establishing time frames for completion, allocation of resources, and peer review or oversight. To revitalize and better direct EPA efforts to identify environmental measures, as a way of achieving its goal of managing for measurable environmental results, the Administrator, EPA, should adopt the framework for organizing and collecting management and environmental data and concentrate agency efforts on identifying and testing the best available measures. The process should include assessing the progress being made in Region 10, on the Conservation Foundation project, and the work at Corvallis Laboratory to determine how they can contribute to measurement identification and implementation. To revitalize and better direct EPA efforts to identify environmental measures, as a way of achieving its goal of managing for measurable environmental results. the Administrator, EPA, should adopt the framework for organizing and collecting management and environmental data and concentrate agency efforts on identifying and testing the best available measures. The process should include revisiting its past surveys and data collected as part of its

operating and monitoring activities, as well as similar data collected by states and other federal agencies, to determine if these data might be appropriate for use in assessing program results. To revitalize and better direct EPA efforts to identify environmental measures, as a way of achieving its goal of managing for measurable environmental results, the Administrator, EPA, should adopt the framework for organizing and collecting management and environmental data and concentrate agency efforts on identifying and testing the best available measures. The process should include recognizing the vulnerability of monitoring and survey activities to budget reductions when making decisions relating to the expansion, termination, or reduction of these activities. A necessary step in evaluating program effectiveness is to link program activities to measures of environmental quality and to decisions on allocation and targeting of resources. The Administrator, EPA, should begin taking the steps necessary to link program and monitoring activities to environmental indicators. Efforts underway in Region 4 appear to provide a good starting point. To ensure the continued strengthening of a sound analytic base needed for assessing and managing environmental risks, the Administrator, EPA, should identify the critical research needs for implementing the initiative of managing for measurable environmental results and establish a process or structure to ensure that these needs are met. To ensure the continued strengthening of a sound analytic base needed for assessing and managing environmental risks, the Administrator, EPA, should assess the status of methods and activities for determining exposure, particularly human exposure, to pollutants, to provide a basis for deciding the additional research needed to develop and use effective methods. To ensure the continued strengthening of a sound analytic base needed for assessing and managing environmental risks, the Administrator, EPA, should establish a long-range research planning process for addressing research needs. As part of this effort, the Administrator should evaluate the present Research Committee process of developing the agency's research agenda with a view toward determining how it can be revised to ensure a proper balance between the agency's short- and longterm research needs. To more effectively accomplish the objectives of the demonstration projects, the Administrator, EPA, should review the results of the Integrated Environmental

Management Program geographic studies to identify achievements. limitations, problems, and lessons learned that are common to the projects so that the results are effectively disseminated and used to improve future geographic studies. To more effectively accomplish the objectives of the demonstration projects, the Administrator, EPA, should review the results of the Integrated Environmental Management Program geographic studies to identify changes that need to be made in the management of demonstration projects in general. To ensure that the goal and initiatives of managing for measurable environmental results are being implemented, monitored, and accomplished and to implement the previous recommendations, the Administrator, EPA, should establish an organizational focus as a way for providing the leadership to ensure the successful implementation and achievement of the initiative. A focal point could be an individual, a group, or an office designated as responsible for seeing that the necessary policies, procedures, processes, and systems are developed, implemented, monitored, and revised to ensure that progress is being made in effectively achieving the initiative. To help sustain and advance current EPA efforts to establish a more effective federal/state relationship in carrying out national environmental programs, the Administrator, EPA, should identify cases of individual state transaction review by EPA and reassess whether such procedures are essential. If the procedures are not essential or can be substituted for with other monitoring techniques, they should be eliminated. To help sustain and advance current EPA efforts to establish a more effective federal/state relationship in carrying out national environmental programs, the Administrator, EPA, should, to the extent feasible, provide multiyear, instead of the current annual, guidance to the states and work with Congress to consider providing multivear financial assistance. To help sustain and advance current EPA efforts to establish a more effective federal/state relationship in carrying out national environmental programs, the Administrator, EPA, should improve evaluations of state program performance, especially with regard to incorporating the measurement of environmental results. In communicating and addressing performance problems, the Administrator should stress the type and amount of improvement needed and options available to the states to take corrective action. To help sustain and

advance current EPA efforts to establish a more effective federal/state relationship in carrying out national environmental programs, the Administrator, EPA, should establish specific guidelines as to when and under what circumstances EPA will begin action to take back delegated program authority. These guidelines should be communicated to both agency staff and the states for use in cases where evaluations find that state performance is poor. The Administrator, EPA, should take the lead in working with Congress and the states to reassess the current federal/state relationship and to determine whether a more comprehensive approach is needed to accomplish EPA, state, and congressional objectives and expectations for the partnership. The Administrator, EPA, should take appropriate steps to develop a long-range, mission-based plan that focuses on the actual use and value of information in achieving EPA goals. Specifically, the plan should define the framework for developing a modern information resources management infrastructure, which will: (1) establish high-level management authority for planning, directing, and implementing information resources management activities: (2) establish a data architecture that identifies the agency's data flows and relates its data assets to operational needs; and (3) further improve data and voice networks needed for the conduct of business at operational locations across the nation. In modernizing and improving EPA financial activities, the Administrator, EPA, should continue to provide the support and priority needed for financial systems developmental efforts. In modernizing and improving EPA financial activities, the Administrator, EPA, should institute an annual audit of EPA financial statements.

## 136624

Army Vehicles: Procurement of 2-1/2-Ton Truck Engines. NSIAD-88-215FS; B-231261. August 15, 1988. Released August 23, 1988. 4 pp. Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Mark E. Gebicke, Associate Director, National Security and International Affairs Division.

Issue Area: Army: Other Issue Area Work (5591).

Contact: National Security and International Affairs Division. Budget Function: National Defense: Department of Defense - Procurement and Contracts (051.2). Organization Concerned: Department of the Army; Environmental Protection Agency; Hercules Engines, Inc. Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp.

Authority: Clean Air Act.

Abstract: In response to a congressional request, GAO reviewed the Army's purchase of engines for its 2-1/2-ton truck, specifically the: (1) Army's plans for a new family of medium tactical vehicles; (2) Environmental Protection Agency's (EPA) position on the Army's adherence to federal pollution standards for the engines; and (3) status of the Army's plans to replace the current engines.

Findings/Conclusions: GAO found that the: (1) Army has used the same basic truck engine since 1960 and has awarded contracts to the same engine producer since 1969; (2) engines did not meet 1988 emission standards, since the contractor based the engines on old technical data; (3) Army initiated a plan to acquire new vehicles that would address the aging fleet problem and reduce existing shortages; (4) new vehicles would consist of commercially manufactured trucks modified for military use with engines that would meet EPA emission standards in effect during the first year of engine manufacture; (5) Army requested that EPA approve an exemption from the Clean Air Act for the engines currently under production until implementation of its new plan: and (6) Army decided that it would install new replacement engines as current ones failed and repair the salvageable ones in order to meet an EPA requirement that it not procure the current engine after 1991.

## 136683

**Nuclear Waste: Quarterly Report on** DOE's Nuclear Waste Program as of June 30, 1988. RCED-88-204BR; B-202377. August 29, 1988. 20 pp. plus 2 appendices (2 pp.). Briefing Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources: by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-89-22FS, November 22, 1988, Accession Number 137374.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Office of Civilian Radioactive Waste Management; Nuclear Regulatory Commission.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982. P.L. 100-203.

Abstract: Pursuant to a congressional request, GAO discussed key nuclear waste program activities occurring in the quarter ending June 30, 1988, and related activities occurring in July 1988. Findings/Conclusions: GAO found that: (1) in May 1988, the Nuclear Regulatory Commission issued final point papers on the Department of Energy's (DOE) Yucca Mountain draft site characterization plan, finding that DOE inadequately considered alternative conceptual models and did not provide an adequate quality assurance program; (2) in June 1988, DOE released a draft mission plan amendment to federal agencies, states, and others for comment; and (3) in April 1988, DOE reorganized its Office of Civilian Radioactive Waste Management, placing more emphasis on quality assurance, facility licensing, integration of all waste system components, and interactions with affected governments, the public, and other organizations.

# 136742

[Extent of Problems and Cost to Revitalize the Nation's Nuclear Defense Complex]. T-RCED-88-61. August 23, 1988. 12 pp. Testimony before the National Academy of Sciences: Committee to Provide Interim Oversight of the DOE Nuclear Weapons Complex; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310; RCED-86-192, September 8, 1986. Accession Number 131121; RCED-88-137, July 8, 1988, Accession Number 136307; EMD-81-108, August 4, 1981, Accession Number 115979; RCED-86-175, June 16, 1986, Accession Number 130260; RCED-88-62, December 16, 1987, Accession

Number 134766; and T-RCED-87-4, March 12, 1987, Accession Number 132384.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: National Academy of Sciences: Committee to Provide Interim Oversight of the DOE Nuclear Weapons Complex; Department of Energy.

Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Department of Energy Organization Act. Executive Order 12088.

Abstract: GAO discussed the adequacy of the Department of Energy's (DOE) efforts to strengthen environmental, safety, and health (ES&H) oversight of its nuclear defense complex. GAO found that: (1) because DOE built much of the nuclear defense complex under less stringent codes and standards than exist now, many facilities have deteriorated to the point where they now have safety or operational problems; (2) many of the plants' processes and equipment items are obsolete, making repair work difficult and spare parts hard to procure; (3) many of the facilities are rated below the industry average; and (4) for over 30 years, DOE facilities have contaminated groundwater and soil in disposing of hazardous wastes. GAO also found that: (1) to upgrade existing facilities, clean up environmental contamination, dispose of radioactive wastes, and decontaminate the facilities would cost about \$100 billion to \$130 billion; (2) expanded production and the relocation of facilities would add \$15 billion to \$25 billion to the overall cost; and (3) the DOE advisory committee on safety was not independent and did not have the authority to require DOE to address its findings and recommendations. GAO believes that DOE needs: (1) external, independent oversight of the complex's safety aspects; (2) a strong internal program to ensure safe and environmentally acceptable facility operation; (3) an Assistant Secretary for ES&H; (4) a formal, systematic program for assessing whether its facilities meet current commercial standards; and (5) a modernization plan that sets the projected facility requirements for continued nuclear weapons production.

# 136748

Water Resources: An In-Depth Look at Overflow Dredging on the Great Lakes. RCED-88-200BR; B-231928. August 11, 1988. Released September 12, 1988. 33 pp. plus 1 appendix (1 p.). Briefing Report to Sen. David Durenberger, Cochairman, Senate Great Lakes Task Force; Sen. John H. Glenn, Cochairman, Senate Great Lakes Task Force; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Other Issue Area Work (6991); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Water Resources (301.0).

Organization Concerned: Department of the Army: Corps of Engineers; Environmental Protection Agency. Congressional Relevance: Senate Great Lakes Task Force; Sen. John H. Glenn; Sen. David Durenberger.

Authority: Clean Water Act of 1977.

Abstract: Pursuant to a congressional request, GAO provided information regarding the Army Corps of Engineers' use of overflow dredging on the Great Lakes, focusing on: (1) its environmental impact; (2) relevant legislation and guidance; (3) cost-effectiveness; and (4) extent of use in areas with highly contaminated sediment.

Findings/Conclusions: GAO found that the Corps: (1) did not assess the environmental impact of overflow dredging, but did research its costeffectiveness and the impact of sediment resuspension on open water disposal; (2) estimated that research regarding the environmental impact of overflow dredging could take 7 years and cost \$8 million; (3) allowed overflow dredging in 18 percent of the 74 Great Lakes projects it conducted during fiscal years 1986 and 1987; (4) complied with Environmental Protection Agency (EPA) regulations by identifying sediment composition and forwarding the results and its proposed methods to EPA, the Fish and Wildlife Service, and the state for concurrence before soliciting bids for dredging; (5) determined that, since overflow dredging was the least expensive dredging method in many areas, banning it could increase dredging costs by 30 to 55 percent; and (6) allowed overflow dredging in only one area of highly contaminated sediment and restricted its use according to EPA guidelines. GAO also found that: (1) EPA lacked national and regional guidelines regarding overflow dredging; (2) states used EPA regional guidelines regarding open water disposal of sediment to make decisions regarding overflow dredging; and (3) the Corps believed that some of

the states' restrictions affected its ability to carry out its dredging responsibilities.

#### 136759

[Status of the Department of Energy's Waste Isolation Pilot Plant]. T-RCED-88-63. September 13, 1988. 15 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources
Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to T-RCED-89-50, June 12, 1989, Accession Number 138838; and RCED-90-1, December 8, 1989, Accession Number 140369.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy; Nuclear Regulatory Commission; Environmental Protection Agency.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee.

Authority: Department of Energy, National Security and Military Applications of Nuclear Energy Authorization Act, 1980 (P.L. 96-164). Nuclear Waste Policy Act of 1982. Safe Drinking Water Act. S. 1272 (100th Cong.). H.R. 2504 (100th Cong.).

Abstract: GAO discussed the Department of Energy's (DOE) Waste Isolation Pilot Plant (WIPP) storage facility for transuranic (TRU) nuclear waste. GAO found that DOE needs to: (1) address brine seepage problems at the facility; (2) develop a plan that provides technical justification for storing TRU wastes underground; (3) ensure that the facility will comply with revised **Environmental Protection Agency** disposal standards; and (4) obtain the Nuclear Regulatory Commission's (NRC) certification that the type of containers it plans to use for transporting TRU wastes meets NRC standards. GAO also found that DOE: (1) reduced the quantity of wastes that it plans to store at WIPP; (2) changed its planned date to receive TRU wastes from October 1988 to the first quarter of 1989; and (3) plans to conduct a long-term environmental impact study to determine the suitability of the facility for permanent waste storage. GAO believes that Congress may wish to consider: (1) allowing DOE to conduct underground experiments using TRU wastes; and (2) postponing land withdrawal legislation pending a

demonstration that the facility meets federal waste disposal standards.

#### 136767

Nuclear Waste: Problems Associated With DOE's Inactive Waste Sites. RCED-88-169; B-222195. August 3, 1988.

Released September 14, 1988. 41 pp. plus 1 appendix (1 p.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-48, December 9, 1987, Accession Number 134827; RCED-86-192, September 8, 1986, Accession Number 131121; RCED-88-29FS, September 12, 1988, Accession Number 136771; and RCED-89-119, May 26, 1989, Accession Number 139219.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy; Environmental Protection Agency.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Science, Space, and
Technology: Natural Resources,
Agriculture Research and Environment
Subcommittee; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Energy and Natural
Resources: Energy Research and
Development Subcommittee; Senate
Committee on Governmental Affairs;
Sen. John H. Glenn.

Authority: Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Resource Conservation and Recovery Act of 1976. Superfund Amendments and Reauthorization Act of 1986. Uranium Mill Tailings Radiation Control Act of 1978. Water Pollution Control Act. Atomic Energy Act of 1954. Hazardous and Solid Waste Amendments of 1984. DOE Order 5480.14.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) management of inactive waste sites at six defense installations, focusing on: (1) DOE identification of the number of sites at the installations; (2) DOE assessment of

sites; and (3) environmental problems at

Findings/Conclusions: GAO found that: (1) the installations lacked accurate site inventories, with DOE headquarters citing a total of 605 inactive waste sites, while DOE installation officials cited 1,447; (2) DOE inconsistently assessed the sites' potential hazards, sometimes using the Environmental Protection Agency's (EPA) Hazard Ranking System, variations of that system, or not evaluating the sites at all; (3) the installations used different approaches for applying the Resource Conservation and Recovery Act of 1976 (RCRA) or the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) to the sites for remediation; (4) each installation had high levels of groundwater contamination with radioactive and hazardous substances, and two installations also had high levels of soil contamination and some surface water contamination; (5) one installation is on the EPA National Priority List (NPL), and the other five have severe enough problems for likely placement on NPL; (6) the installations require a massive cleanup effort, costing as much as \$60 billion; and (7) DOE is currently revising DOE Order 5480.14, outlining its program for identifying, assessing, and cleaning up inactive waste sites, to incorporate additional requirements imposed by the 1986 amendments to CERCLA. GAO believes that DOE needs to develop a comprehensive plan, including milestones and cost estimates, to bring DOE facilities into full compliance with environmental laws. Recommendation To Agencies: To improve DOE oversight of its inactive waste sites nationwide, the Secretary of Energy should develop and prescribe, in cooperation with EPA and the appropriate states, a comprehensive approach to address inactive waste sites which integrates provisions of both CERCLA and RCRA. For those inactive waste sites where CERCLA and RCRA authorities overlap, assessments and remedial action plans should be developed that address the sites as both a CERCLA and RCRA site. In issuing the revised DOE Order 5480.14, DOE should incorporate provisions that specify this comprehensive approach to be followed by DOE installations nationwide. To improve DOE oversight of its inactive waste sites nationwide, the Secretary of Energy should update DOE headquarters' inventory to account for all DOE inactive waste sites. In doing so, the inventory should indicate the relative hazards associated with each inactive waste site.

#### 136771

Nuclear Waste: Supplementary Information on Problems at DOE's Inactive Waste Sites. RCED-88-229FS; B-222195. September 12, 1988. Released September 14, 1988. 6 pp. plus 1 appendix (1 p.). Fact Sheet to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-169, August 3, 1988, Accession Number 136767.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense:
Atomic Energy Defense Activities (053.0).

Organization Concerned: Department of Energy; Pead Materials Production Center, Fernald, OH; Department of Energy: Los Alamos National Laboratory; Department of Energy: Pantex Weapons Plant, TX.

Congressional Relevance: Senate
Committee on Governmental Affairs; Sen. John H. Glenn.

Abstract: In response to a congressional request, GAO provided information on the number of inactive waste sites and the extent of environmental contamination at three Department of Energy (DOE) installations. Findings/Conclusions: GAO found that: (1) DOE waste disposal practices at the three installations contributed to radioactive and chemical substance pollution of the environment; (2) each installation reported high soil contamination levels at its sites; (3) DOE is investigating possible groundwater contamination at two of the installations; and (4) as of August 17, 1988, the DOE inventory of inactive waste sites was 3,276, and the number could increase after DOE completes its nationwide inventory.

# 136772

[Abusive Labor Practices Used by Organized Crime in the Construction Industry in New York City]. T-OSI-88-7. August 29, 1988. 10 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by David C. Williams, Director, Office of Special Investigations.

Contact: Office of Special Investigations.

Organization Concerned: International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America: Local 282; Environmental Protection Agency.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee.

Authority: Water Pollution Control Act (33 U.S.C. 1251 et seq.).

Abstract: GAO discussed organized crime's use of abusive labor practices in the New York City (NYC) construction industry. GAO found that: (1) organized crime significantly inflated public and private building projects' construction costs: (2) there was substantial evidence that important unions in NYC have or had a documented relationship with organized crime; (3) construction contractors clubs, which are alliances of contractors, labor leaders, and organized crime figures, agree to rig bids for most major construction projects, and the inflated bids provide tribute payments to organized crime figures and union officials; (4) organized crime families enforce club agreements and hamper the efforts of contractors that attempt to compete against rigged bids; (5) organized crime often uses featherbedding and superfluous labor, materials, and equipment, to increase construction costs; (6) a local office of a labor union, which controls the progress of work at NYC construction sites, has a history of corruption among its officers; and (7) abusive labor practices have occurred at the Environmental Protection Agency's North River Wastewater Treatment Plant.

# 136785

[Administration and Enforcement of the Section 404 Program]. T-RCED-88-54. September 14, 1988. 8 pp. Testimony before the House Committee on Public Works and Transportation: Investigations and Oversight Subcommittee; by Neal P. Curtin, Deputy Director, Resources, Community, and Economic Development Division. Refer to RCED-88-110, July 28, 1988, Accession Number 136780.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of the Army: Corps of Engineers; Environmental Protection Agency.

Congressional Relevance: House
Committee on Public Works and
Transportation: Investigations and
Oversight Subcommittee. .

Authority: Clean Water Act of 1977.

Abstract: GAO discussed the Corps of Engineers' administration of the section 404 program, focusing on: (1) the overall impact of the program in controlling wetlands losses; (2) the extent to which the Corps considered federal resource agencies' comments during the permitting process; and (3) how the Corps and the Environmental Protection Agency (EPA) enforced program requirements. GAO found that: (1) the Corps did not have the authority to regulate activities that resulted in the majority of wetlands losses: (2) some resource agencies believed that the Corps did not protect as many wetlands as it could: (3) although the Corps districts generally considered resource agencies' comments on permit applications, they often did not adopt recommendations that would lead to project modifications or denial; (4) resource agencies infrequently used their authority to appeal Corps permit decisions to higher levels within the Corps; (5) neither the Corps nor EPA emphasized monitoring and enforcement activities; and (6) the Corps stated that staff and budget constraints limited its role in enforcing the program. GAO believes that the Corps should work with the resource agencies and EPA to develop procedures for improving program administration and enforcement.

## 136820

Water Pollution: Efforts to Clean Up Michigan's Rouge River. RCED-88-164; B-226207. August 10, 1988. Released September 19, 1988. 9 pp. plus 9 appendices (64 pp.). Report to Rep. John D. Dingell; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Environmental Protection: Assessing How Water Pollution Facilities Are Reducing Pollutants From the Nation's Waters (6804).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

#### **Organization Concerned:**

Environmental Protection Agency; Michigan: Department of Natural Resources; Environmental Protection Agency: Region V, Chicago, IL. Congressional Relevance: House Committee on Appropriations: HUD-Independent Agencies Subcommittee; House Committee on Public Works and Transportation; Senate Committee on Appropriations: HUD-Independent

126785-126820 Agencies Subcommittee; Senate Committee on Environment and Public Works; Rep. John D. Dingell. Authority: Water Pollution Control Act Amendments of 1972 (Federal) (33 U.S.C. 1251), Clean Water Act of 1977. P.L. 100-4. Agreement on Great Lakes Water Quality, Nov. 22, 1978, United States-Canada, T.I.A.S. No. 9257. Executive Organization Act (Michigan). Abstract: Pursuant to a congressional request. GAO reviewed federal, state, and local efforts to clean up Michigan's Rouge River, focusing on: (1) the overall quality of the river's waters, (2) pollutant sources; (3) the status of cleanup planning efforts; and (4) costs of remedial cleanup efforts. Findings/Conclusions: GAO found that: (1) Michigan's Department of Natural Resources (MDNR) was responsible for managing the river's cleanup; and (2) the Environmental Protection Agency (EPA) was responsible for ensuring that cleanup activities met legislative requirements. GAO also found that: (1) the river's water quality, which ranged its uses for fishing and swimming and constituted a threat to public health; (2) discharges of pollutants from overflowing combined sewers, estimated major pollution sources; (3) planning for the river's cleanup intensified in 1986 when MDNR made it a priority and jointly developed with EPA and local communities a plan to eliminate untreated discharges and overflows and

from fair to very poor, severely impaired at 473 million pounds annually, were the to finance remedial measures: (4) costs to fully implement the plan were unknown, although estimates for partial implementation totalled \$1.8 billion; (5) MDNR plans to more effectively use the National Pollutant Discharge Elimination System to reduce the amount of discharged pollutants and ensure permittees' compliance with permit requirements; and (6) EPA worked with MDNR to resolve problems it identified in the computerized system MDNR used to assess permit compliance. Recommendation To Agencies: Because of the Rouge River's long history of pollution problems, its potential for public contact and use, which is the greatest of all the rivers in Michigan. the recent priority assigned to cleanup by Michigan, and the effect of the river's water quality on international waters, the Administrator, EPA, should require its Chicago Regional Office to establish controls designed specifically to oversee MDNR implementation of corrective actions on Rouge River discharge permits. As part of these controls, EPA should perform periodic reviews of

MDNR progress to correct combined sewer, stormwater, municipal, industrial, and pretreatment permit program problems and provide feedback to MDNR on its assessment of the progress made to resolve these problems. If MDNR does not make satisfactory progress, the Administrator should develop options in consultation with MDNR to address the obstacles encountered.

# 136837

Degradable Plastics: Standards, Research and Development. RCED-88-208; B-232185. September 20, 1988. 5 pp. plus 4 appendices (30 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-88-64, September 20, 1988, Accession Number 136839.

Issue Area: Science and Technology Policy and Programs: Other Issue Area Work (9391).

Contact: Resources, Community, and Economic Development Division. Budget Function: General Science, Space, and Technology: General Science and Basic Research (251.0).

# **Organization Concerned:**

Environmental Protection Agency; Food and Drug Administration; Department of Commerce: National Institute of Standards and Technology; American Society for Testing and Materials.

Congressional Relevance: Senate Committee on Governmental Affairs; Sen. John H. Glenn.

**Authority:** P.L. 100-220. S. 2298 (100th Cong.).

Abstract: In response to a congressional request, GAO studied federal government activities to encourage the research and development (R&D) of degradable plastics, to: (1) identify the extent of federal and private sector efforts to develop standards for degradable plastics; and (2) describe federal agencies' support of degradable plastics R&D.

Findings/Conclusions: GAO found that:
(1) the federal government and the private sector conducted limited testing to support development of standards for degradable plastics; (2) testing remained necessary to resolve the degradation rate and end-product safety; (3) federal agencies with the capability to standardize or test new materials and products reported few or no activities involving degradable plastics; and (4) private-sector activities for developing

standards for degradable plastics were too recent to evaluate. GAO also found that: (1) four federal agencies conducted or supported research related to plastics degradability and product development at a cost of \$1.7 million; (2) most of the research was aimed at developing new nonfood, nonfuel uses for agricultural products, alternatives to nondegradable plastics for use at sea, and substitutes for petroleum-based plastics; and (3) although Congress and several state legislatures proposed legislation to promote or mandate the use of degradable plastics, the majority of the bills did not provide definitions, time frames, or end-product safety requirements.

#### 136839

[Degradable Plastics: Standards, Research and Development]. T-RCED-88-64. September 20, 1988. 10 pp. Testimony before the Senate Committee on Governmental Affairs; by Flora H. Milans, Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-88-208, September 20, 1988, Accession Number 136837.

Contact: Resources, Community, and Economic Development Division.
Organization Concerned:
Environmental Protection Agency;
Department of Commerce: National Institute of Standards and Technology;
Food and Drug Administration;
American Society for Testing and Materials.

Congressional Relevance: Senate Committee on Governmental Affairs. Abstract: GAO discussed federal and private-sector research and development (R&D) activities concerning degradable plastics to identify: (1) the extent of efforts to develop standards for degradable plastics; and (2) federal agencies' support of degradable plastics R&D. GAO found that: (1) the federal government and the private sector made limited efforts to develop standards and support R&D for degradable plastics; (2) federal expenditures in 1988 totalled \$1.7 million for 12 projects; (3) the federal agencies that supported the R&D activities were not the most appropriate to develop standards; (4) there was no testing of degradable plastics to determine degradability and end-product safety in different environments; and (5) testing would not ensure the establishment of needed standards. GAO also found that: (1) because current legislation on the use of degradable plastics lacks needed standards, many state laws do not provide definitions of degradability, specify time frames, or

provide end-product safety requirements; (2) private-sector activities to develop standards are too new to evaluate; (3) the four agencies working on federally funded R&D projects focused mainly on developing and improving new degradable products, rather than the need for standards; and (4) some scientists conducting federally funded R&D planned to incorporate testing in their R&D.

#### 136885

[EPA Oversight of DOD Installation Restoration Program Activities]. T-NSIAD-88-50. September 27, 1988. 8 pp. Testimony before the House Committee on Armed Services: Environmental Restoration Panel; by Paul L. Jones, Associate Director, National Security and International Affairs Division.

Contact: National Security and International Affairs Division.
Organization Concerned:
Environmental Protection Agency:
Region V, Chicago, IL; Department of the Army: Twin Cities Army
Ammunition Plant, MN; Minnesota;

Department of Defense.

Congressional Relevance: House Committee on Armed Services: Environmental Restoration Panel. Authority: Superfund Amendments and Reauthorization Act of 1986.

Abstract: GAO discussed its review of the Environmental Protection Agency's (EPA) oversight of the Twin Cities Army Ammunition Plant (TCAAP) cleanup agreement compared to that of a private site. GAO found that: (1) the agreement delegated cleanup responsibilities among the Army, EPA, and Minnesota; (2) EPA planned to use its private-sector workload statistics to estimate regional staffing and contractor resource needs until it developed federal facility standards; (3) the TCAAP site required more work than average sites because of the extent of contamination, the site size, the affected population, and the number of participants and contractors involved; (4) while the Army conducted the on-base investigation and Minnesota conducted the off-base investigations, a private party would do all of that work; and (5) EPA may spend as much as \$300,000 for oversight and technical assistance. GAO also found that: (1) the agreement facilitated collaboration among the parties and greatly improved their communications; (2) although the parties have either met their document deadlines or requested extensions, both the Army and the state would not

complete their investigations until after the required deadlines; (3) the differences between private and federal oversight concerned permit requirements, financing, unexpected events, oversight costs, and document review; and (4) future agreements may differ because a model agreement reduced oversight procedures, halved the number of approvals, and provided a dispute resolution process.

#### 136892

Air Pollution: Reliability and Adequacy of Air Quality Dispersion Models. RCED-88-192; B-220184. August 24, 1988.

Released September 27, 1988. 6 pp. plus 4 appendices (7 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Hugh J. Wessinger, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-86-94, April 22, 1986, Accession Number 130222; RCED-88-57, January 22, 1988, Accession Number 135212; and RCED-89-144, July 26, 1989, Accession Number 139340.

Issue Area: Environmental Protection:
Assessing EPA's Protection of Public
Health and the Environment From
Criteria Air Pollutants (6814).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Pollution Control and
Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Clean Air Act.

Abstract: Pursuant to a congressional request, GAO reviewed the status and results of the Environmental Protection Agency's (EPA): (1) testing of its air quality dispersion models to determine their reliability; and (2) efforts to develop additional models to meet identified needs.

Findings/Conclusions: GAO found that: (1) EPA evaluated 29 of its 48 air quality dispersion models using the recommended uniform statistical approach; (2) EPA evaluated two of the models before it adopted the uniform approach; (3) other organizations evaluated nine of the models, but did not use the uniform approach; (4) the models' reliability ranged from underestimating pollution concentrations by 50 percent to

overestimating concentrations by 1,720 percent; (5) some models gave substantially different results when tested at different sites; (6) EPA is studying the use of simulated conditions to obtain more reliable estimates of model reliability; and (7) EPA believes that the model estimates are still useful as regulatory and research tools as long as users recognize their limitations. GAO also found that EPA: (1) in 1985, identified 65 of 241 modelling needs as high priority; (2) has not identified the actual number of models or amount of funding it requires to meet all of its modelling needs; and (3) estimated that it would cost \$97 million to develop and evaluate models to address 6 urgent and 70 high-priority modelling needs.

#### 136919

Nuclear Waste: Fourth Annual Report on DOE's Nuclear Waste Program. RCED-88-131; B-202377. September 28, 1988. 49 pp. plus 4 appendices (9 pp.). Report to Congress; by J. Dexter Peach, (for Charles A. Bowsher, Comptroller General). Refer to RCED-87-17, April 15, 1987, Accession Number 132701; RCED-87-14, February 9, 1987, Accession Number 132140; RCED-87-92, June 1, 1987, Accession Number 133202; RCED-87-121, August 31, 1987, Accession Number 133814; and RCED-87-200FS, September 10, 1987, Accession Number 133936.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Department of Energy: Office of Civilian Radioactive Waste Management.

Congressional Relevance: House
Committee on Energy and Commerce:
Energy and Power Subcommittee; House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Interior and
Insular Affairs; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Energy and Natural
Resources; Congress.

Authority: Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101). P.L. 100-203.

Abstract: Pursuant to a legislative requirement, GAO assessed the Department of Energy's (DOE) efforts to implement the Nuclear Waste Policy Act

of 1982, focusing on the: (1) implications of declining nuclear waste quantities; (2) increased program costs; and (3) effects of the 1987 revisions to the act on the DOE plan for a facility to receive and store nuclear wastes.

Findings/Conclusions: GAO found that: (1) waste disposal projections have declined because utilities have not ordered new nuclear power plants since 1978; (2) despite this decline, estimates of waste program costs increased from \$23 billion in 1983 to \$33 billion in 1987; (3) DOE estimated that it would cost \$23 billion to implement the revised program, with Yucca Mountain in Nevada as the sole repository, and about \$31 billion if it constructed a second repository; (4) DOE expected the Yucca Mountain site to hold 70,000 metric tons of wastes but was uncertain about the site's potential for expansion; and (5) the act's revisions limited DOE authority to construct and operate a monitored retrievable storage (MRS) facility in advance of a repository.

Recommendation To Congress: Congress may wish to explore with DOE the advantages of earlier and more complete site characterization information on the secondary rock formations at Yucca Mountain, in view of the continuing decline in the estimates of waste to be disposed of and uncertainty about the capacity of the currently defined primary disposal area at that site. Recommendation To Agencies: To provide the Monitored Retrievable Storage Review Commission with the best possible information for its evaluation and report to Congress on June 1, 1989, the Secretary of Energy should supplement the original DOE MRS facility proposal by identifying, with supporting analyses, the benefits of adding a facility to the nuclear waste system under the conditions established in the Nuclear Waste Policy Amendments Act of 1987.

# 136940

Toxic Substances: PCB Spill at the Guam Naval Power Generating Plant. NSIAD-88-217; B-213706. September 22, 1988.

Released September 30, 1988. 45 pp. plus 4 appendices (30 pp.). Report to Del. Ben Blaz; Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Del. Ron De Lugo, Chairman, House Committee on Interior and Insular Affairs: Insular and International Affairs Subcommittee; Rep. Robert J. Lagomarsino, Ranking Minority

Member, House Committee on Interior and Insular Affairs: Insular and International Affairs Subcommittee; by Bill W. Thurman, (for Frank C. Conahan, Assistant Comptroller General), National Security and International Affairs Division.

Issue Area: Environmental Protection: Other Issue Area Work (6891); Air Force: Other Issue Area Work (5491). Contact: National Security and International Affairs Division. **Budget Function: National Defense:** Defense-Related Activities (054.0). **Organization Concerned:** Department of the Navy: Department of the Navy: Naval Facilities Engineering Command: Navy Public Works Center, Guam; Occupational Safety and Health Administration; Department of the Navy: Naval Supply Systems Command. Congressional Relevance: House Committee on Appropriations: Defense Subcommittee; House Committee on Armed Services; House Committee on Interior and Insular Affairs: Insular and International Affairs Subcommittee; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Armed Services; Senate Committee on Appropriations: Defense Subcommittee; Rep. Robert J. Lagomarsino; Rep. Michael L. Synar; Del. Ron De Lugo; Del. Ben Blaz. Authority: Toxic Substances Control Act. Superfund Amendments and Reauthorization Act of 1986 (P.L. 99-499). Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Resource Conservation and Recovery Act of 1976. 29 C.F.R. 1910. 40 C.F.R. 264, 40 C.F.R. 761,30, 29 C.F.R.

Abstract: Pursuant to a congressional request, GAO evaluated the Navy's actions in response to the release of polychlorinated biphenyls (PCB) at its Piti Power Plant in Guam. Findings/Conclusions: GAO found that the Navy: (1) immediately initiated cleanup efforts after the spill; (2) may have exposed some employees and cleanup personnel to other toxins, since it did not immediately determine if the PCB spill generated other toxins: (3) did not have a prenegotiated contract for site characterization and cleanup recommendation; (4) did not provide cleanup personnel with adequate personal protective equipment; (5) did not provide hazardous materials management training to all cleanup personnel; (6) included all employees in the plant at the time of the spill, cleanup personnel, and continuing operations personnel in its medical

monitoring program, but did not ensure that all personnel received baseline medical examinations or timely examinations after the spill; (7) after the spill, established a medical monitoring program to ensure timely examinations for potentially affected personnel; (8) had scheduled replacement of a faulty PCB transformer during fiscal year 1989; and (9) will spend about \$6 million for site cleanup.

Recommendation To Agencies: In view of the problems encountered at Piti Power Plant and the potential for similar problems at other Navy facilities, the Secretary of the Navy should determine the feasibility of having prenegotiated testing, sampling, and detailed characterization contracts available at all installations using PCB equipment. The Secretary of the Navy should have the Navy Supply Command, in line with Occupational Safety and Health Administration (OSHA) and Navy regulations, stock the required personal protective equipment (PPE) in a readily accessible location. The Secretary of the Navy should emphasize the requirements that employees who work in hazardous conditions receive baseline medical examinations before entry into the work place and receive the regularly scheduled medical examinations. In view of the problems encountered at Piti Power Plant and the potential for similar problems at other Navy facilities, the Secretary of the Navy should ensure that the required training for employees working in potential hazardous situations, such as Piti Power Plant, is provided so that they will be aware of the potential dangers and of what they should do if a problem arises.

# 136949

[Ineffective Management and Oversight of DOE's P-Reactor at Savannah River, S.C., Raises Safety Concern]. T-RCED-88-68. September 30, 1988. 17 pp. plus 1 attachment (9 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources
Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-90-61FS, October 23, 1989, Accession Number 139914.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy: Operations Center, Savannah River, SC; E.I. du Pont de Nemours and Co., Inc. Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee. . Authority: DOE Order 5480.6. 10 C.F.R. 50.36.

Abstract: GAO discussed the recent events surrounding the start-up of the Department of Energy's (DOE) P-reactor at the Savannah River Plant, focusing on how well DOE managed the contractors who operated the facility. GAO found that: (1) reactor operators failed to inform either management or DOE of a restart problem until the nuclear reactor shut itself down; (2) reactor operators did not inform DOE of a small power increase until the next day; and (3) DOE ordered the reactor shut down until the contractor could address DOE safety and communications concerns. GAO also found that: (1) DOE and the contractor failed to ensure startup operational safety; (2) DOE and the contractor failed to properly calculate start-up reactivity; and (3) DOE approved the restart based on the contractor's explanation without an assessment or complete understanding of the explanation. GAO believes that DOE needs: (1) strong line-management responsibility and accountability for safety; (2) an effective environmental safety and health organization to oversee how line management carries out its role; (3) an independent organization outside DOE control to oversee the DOE internal safety program; and (4) to ensure that it addresses safety concerns in a timely and effective manner.

# 136957

Water Resources: Competition for Corps of Engineers Civil Construction Contracts. RCED-88-193; B-231773. September 29, 1988. 32 pp. plus 2 appendices (2 pp.). Report to Congress; by J. Dexter Peach, (for Charles A. Bowsher, Comptroller General).

Issue Area: Natural Resources Management: Other Issue Area Work (6991); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources

and Environment: Water Resources (301.0).

Organization Concerned: Department of the Army: Corps of Engineers. Congressional Relevance: Congress. Authority: Water Resources Development Act of 1986 (P.L. 99-662). Competition in Contracting Act of 1984 (P.L. 98-369). Small Business Act. Defense Acquisition Improvement Act of 1986 (P.L. 99-591). Department of Defense Authorization Act, 1987 (P.L. 99-661). Clean Air Act (42 U.S.C. 7401 et seq.). Clean Water Act of 1977 (33 U.S.C. 1251 et seq.). Davis-Bacon Act (Wage Rates) (40 U.S.C. 276a). Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). Executive Order 11246. Executive Order 11375. Executive Order 12615. F.A.R. 52.236. F.A.R. 52.212-6. F.A.R. 52.246-12. P.L. 91-596. P.L. 95-269. OMB Circular A-76. 33 U.S.C. 622 et seq. . 10 U.S.C. 4540.

Abstract: Pursuant to a legislative requirement, GAO reviewed the Army Corps of Engineers' contracting procedures for civil works projects to determine whether: (1) bidders competed fairly for Corps construction contracts; (2) Corps field offices uniformly applied contracting procedures; and (3) the Corps needed to improve its contracting procedures.

Findings/Conclusions: GAO found that: (1) the seven Corps districts it visited achieved full and open competition for 500 civil construction contracts awarded in 1986 and 1987; (2) the Corps awarded contracts totalling \$255 million to small businesses under mandated small business set-aside programs, and \$561 million in unrestricted contracts to both large and small businesses; and (3) there were no sustained protests of restrictive specifications in 54 civil construction contract protests filed in fiscal years 1986 and 1987. GAO also found that: (1) none of the 130 contractor representatives it contacted who did not compete for construction contracts indicated that they felt that the Corps' solicitations were restrictive; (2) although none of the representatives indicated that the Corps' recordkeeping requirements kept them from competing, 15 indicated that the requirements were either voluminous, costly, unnecessary, or redundant; and (3) the Corps contracted out almost all general construction under its civil works programs and about 40 percent of its civil engineering work.

# 136971

Nuclear Science: Issues Associated With Completing WNP-1 as a Defense Materials Production Reactor. RCED-88-222; B-231142. September 21, 1988.
Released September 21, 1988. 10 pp. plus 8 appendices (42 pp.). Report to Sen. Brock Adams; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-87-32, June 16, 1987, Accession Number

133223; T-RCED-89-46, May 24, 1989, Accession Number 138720; and RCED-89-206, September 21, 1989, Accession Number 139853.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy: Hanford Power Station; Washington Public Power Supply System; Nuclear Regulatory Commission.

Congressional Relevance: Sen. Brock Adams.

Authority: Declaration of Taking Act (Eminent Domain) (40 U.S.C. 258a). Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, Multilateral, T.I.A.S. No. 6839. 42 U.S.C. 2014 et seq. . 42 U.S.C. 4654(a). 40 U.S.C. 257.

Abstract: Pursuant to a congressional request, GAO assessed safety, cost, scheduling, and legal issues associated with the Department of Energy's (DOE) proposed acquisition and completion of Washington Nuclear Plant 1 (WNP-1), a partially completed commercial nuclear power plant, to serve as a nuclear weapons materials production facility. Findings/Conclusions: GAO found that: (1) the owners of WNP-1 halted construction due to financial problems and decreased electrical power needs; (2) the plant had no major safety, technical, or other barriers to preclude its consideration as an option for a nuclear weapons materials reactor; (3) an August 1986 DOE study concluded that DOE could modify the reactor for defense production purposes, possibly at a lower initial cost and shorter schedule; (4) DOE has not yet resolved several safetyrelated concerns regarding the use of pressurized light-water reactors, decayheat removal, station blackout, production capacity, and incomplete probabilistic risk assessment; (5) issues with possible effects on plant completion costs and schedule included design changes, technical issues involving tritium production, establishment of safety standards, legal questions involving acquisition cost, and policy issues; (6) completion of the plant would not violate federal law; and (7) plant condemnation would not constitute default or make bonds immediately due and payable.

#### 136981

Federal Land Management: Consideration of Proposed Alaska Land Exchanges Should Be Discontinued. RCED-88-179; B-229232. September 29, 1988. Released October 5, 1988. 61 pp. plus 3 appendices (38 pp.). Report to Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee: Sen. James A. McClure. Ranking Minority Member, Senate Committee on Energy and Natural Resources; by J. Dexter Peach, Assistant Comptroller General, Resources. Community, and Economic Development Division. Refer to T-RCED-88-52, July 7, 1988. Accession Number 136285; and RCED-90-5, October 6, 1989, Accession Number 140067.

Issue Area: Natural Resources Management (6900).

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Bureau of Land Management; Department of the Interior: Minerals Management Service; Department of the Interior; Native Lands Group; Doyon, Ltd.; Koniag, Inc.; Old Harbor Native Corp.; Gana-A'Yoo, Ltd.; Akhiok-Kaguyak, Inc.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee: House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee: Senate Committee on Appropriations: Interior and Related Agencies Subcommittee; Senate Committee on Energy and Natural Resources: Mineral Resources Development and Production Subcommittee; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources; Congress; Rep. George Miller; Sen. James A. McClure. Authority: Alaska National Interest Lands Conservation Act (P.L. 96-487). Alaska Native Claims Settlement Act (P.L. 92-203). Mineral Lands Leasing Act. Convention Ceding Alaska, Mar. 30, 1867, United States-Union of Soviet Socialist Republics, 15 Stat. 539, T.S. No. 301. P.L. 100-395. H.R. 6471 (97th Cong.).

Abstract: In response to a congressional request, GAO evaluated proposed land exchanges between the Department of the Interior and six groups of Alaskan Native corporations to: (1) assess Interior's legal authority to conduct the proposed land exchanges; and (2)

National Audubon Society v. Hodel, 606

F. Supp. 825 (D. Alaska 1984).

(National) (P.L. 91-190).

Environmental Policy Act of 1969

examine the processes, assumptions, and methods underlying the exchanges. Findings/Conclusions: GAO found that: (1) Interior had the legal authority to negotiate and administratively approve the proposed exchanges at the time it developed the proposals; (2) legislation passed in 1988 prohibited Interior from conveying interests in lands within the coastal plain of the Arctic National Wildlife Refuge (ANWR) without prior legislative approval; (3) 76 percent of the lands that the government would acquire would provide limited wildlife and habitat protection benefits; and (4) about 279,000 acres were low priority or unsuitable for acquisition, about 349,000 acres were already protected from uses inconsistent with wildlife refuge purposes, and Interior would not acquire about 53,000 acres most threatened by subsurface mineral development. GAO also found that Interior: (1) appraised the fair market value of the proposed exchanges at \$90 million, but negotiated a price of \$539 million due to their environmental or public-interest value; (2) assigned values to the tracts based on limited geologic information and uncertain economic data; and (3) did not have oil and gas well data within ANWR or access to data from the one well in ANWR that one of the Native corporation's oil company affiliates drilled.

Recommendation To Congress: If the Secretary of the Interior decides to proceed with the proposed exchanges and presents them to Congress for approval, Congress should disapprove them.

Recommendation To Agencies: The Secretary of the Interior should discontinue consideration of the proposed land exchanges.

#### 136983

Nuclear Science: Questions Associated With Completing WNP-1 as a Defense Materials Production Reactor. RCED-88-221; B-231142. September 21, 1988.

Released September 21, 1988. 9 pp. plus 7 appendices (37 pp.). Report to Rep. Sid Morrison; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-87-32, June 16, 1987, Accession Number 133223.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Washington Public Power Supply System.

Congressional Relevance: Rep. Norman D. Dicks; Rep. Vic Fazio; Rep. Sid Morrison.

Authority: Declaration of Taking Act (Eminent Domain) (40 U.S.C. 258a). Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968, Multilateral, T.I.A.S. No. 6839. 42 U.S.C. 2014 et seq. 42 U.S.C. 4654(a). 40 U.S.C. 257.

Abstract: Pursuant to a congressional request, GAO assessed safety, cost, scheduling, and legal issues associated with the Department of Energy's (DOE) proposed acquisition and completion of Washington Nuclear Plant 1 (WNP-1), a partially completed commercial nuclear power plant, to serve as a nuclear weapons materials production facility. Findings/Conclusions: GAO found that: (1) the owners of WNP-1 halted construction due to financial problems and decreased electrical power needs; (2) the plant had no major safety, technical, or other barriers to preclude its consideration as an option for a nuclear weapons materials reactor; (3) an August 1986 DOE study concluded that DOE could modify the reactor for defense production purposes, possibly at a lower initial cost and shorter schedule; (4) DOE has not yet resolved several safetyrelated concerns regarding the use of pressurized light-water reactors, decayheat removal, station blackout, production capacity, and incomplete probabilistic risk assessment: (5) issues with possible effects on plant completion costs and schedule included design changes, technical issues involving tritium production, establishment of safety standards, legal questions involving acquisition cost, and policy issues; (6) completion of the plant would not violate federal law; and (7) plant condemnation would not constitute default or make bonds immediately due and payable.

# 137033

Electric Power: Issues Concerning Expansion of the Pacific Northwest-Southwest Intertie. RCED-88-199; B-225290. September 14, 1988.

Released October 12, 1988. 50 pp. plus 5 appendices (12 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-84-38, November 4, 1983, Accession Number 122775; RCED-87-6, February 19, 1987, Accession Number 132205; and

PEMD-88-3, December 29, 1987, Accession Number 134959.

**Issue Area:** Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Bonneville Power Administration; Environmental Protection Agency.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Interior and
Insular Affairs: Water and Power
Resources Subcommittee; House
Committee on Energy and Commerce;
Senate Committee on Appropriations:
Energy and Water Development
Subcommittee; Senate Committee on
Energy and Natural Resources; Rep.
John D. Dingell.

Authority: Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839).

Abstract: Pursuant to a congressional request, GAO discussed the Bonneville Power Administration's (BPA) plans to expand the Pacific Northwest-Southwest Intertie, focusing on the: (1) BPA justification for the expansion; (2) relationship of Canadian power imports to the intertie expansion; and (3) potential impacts on salmon and steelhead trout.

Findings/Conclusions: GAO found that: (1) BPA estimated that its costs for the 1600-megawatt (MW) addition would be \$327 million, the net economic benefit of the addition through 2030 would be \$661 million, and its share of net benefits would be \$199 million; (2) BPA projected losses for the first 4 years and estimated that it would take 18 years to recover its investment; and (3) it was unclear whether the second 800-MW increment of capacity increase would result in net benefits to BPA. GAO also found that BPA estimated that: (1) Canada could receive \$161 million of the net benefits and could further benefit if it decided to increase exports; and (2) losses of salmon and steelhead trout related to the expansion would be under 3 percent, but made its estimates with a controversial computer model called FISHPASS. Recommendation To Agencies: The

Administrator, BPA, should clarify the BPA economic analysis by providing a breakout of BPA costs and the sources and extent of revenues it expects for each 800-MW increment of the addition. Doing the analysis for each using the same regionwide net benefits approach that BPA employed in its original

analysis would be useful. This information should help clarify the relationship between the economic basis for the BPA investment and noneconomic considerations, and it may also contribute to the decision about how much capacity BPA should pay for. The Administrator, BPA, should contract for an independent review of FISHPASS and include the activities generally undertaken in Environmental Protection Agency (EPA) reviews of models. The Administrator may wish to consult with EPA officials concerning the content and methods used in these reviews.

# 137127

Nuclear Health and Safety: DOE's Management and Funding of Environment, Safety, and Health Programs, RĆED-88-227FS; B-231293. September 23, 1988. Released October 25, 1988, 10 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. James H. Scheuer; Rep. David Skaggs; by Keith O. Fultz. Senior Associate Director, Resources, Community, and Economic Development Division. Refer to EMD-81-108, August 4, 1981, Accession Number 115979; RCED-84-50, November 30, 1983, Accession Number 123131; RCED-87-30, November 4, 1986, Accession Number 131661; RCED-88-62, December 16, 1987, Accession Number 134766; RCED-88-197BR, July 6, 1988, Accession Number 136310; and RCED-88-137, July 8, 1988, Accession Number 136307.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Office of the Assistant Secretary for Defense Programs.

Congressional Relevance: Rep. David Skaggs; Rep. James H. Scheuer. Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Abstract: In response to a congressional request, GAO evaluated the effectiveness of the Department of Energy's (DOE) management and funding of environmental, safety, and health (ES&H) activities at its nuclear defense facilities.

Findings/Conclusions: GAO found that DOE: (1) implemented many management and funding procedures to

improve its ES&H efforts in response to GAO recommendations; (2) established a program within the Office of Defense Programs to consolidate the day-to-day operational management and funding of environmental activities; (3) developed a computer system to track ES&H budgeted and obligated funds; and (4) revised ES&H management objectives and standards to strengthen its oversight. GAO noted that it was unable to determine the adequacy and effectiveness of those efforts, since DOE had not completed them.

# 137175

Nuclear Waste: Repository Work Should Not Proceed Until Quality Assurance Is Adequate. RCED-88-159; B-202377. September 29, 1988. Released October 31, 1988. 53 pp. plus 4 appendices (17 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Nuclear Regulatory Commission.

Congressional Relevance: House Committee on Interior and Insular Affairs; House Committee on Government Operations; House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce; House Committee on Energy and Commerce: Energy and Power Subcommittee: Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; Senate Committee on Governmental Affairs; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Philip R. Sharp.

**Authority:** Nuclear Waste Policy Act of 1982 (P.L. 97-425). 10 C.F.R. 60. 10 C.F.R. 50. P.L. 100-203.

Abstract: Pursuant to a congressional request, GAO examined the Department of Energy's (DOE): (1) progress in developing a quality assurance program

for characterizing the Yucca Mountain, Nevada, site for possible use as a nuclear waste repository; and (2) interaction with the Nuclear Regulatory Commission (NRC) in identifying and resolving potential quality-related licensing problems.

Findings/Conclusions: GAO found that: (1) NRC oversight of quality assurance program development was limited due to problems and delays in DOE program development; (2) NRC identified several concerns about the program regarding document inadequacy, noncompliance with quality assurance standards. ineffective contractor auditing, general program management and development, and lack of direct control over the contractor's quality assurance programs; (3) NRC formally concluded that it lacked confidence in the program's adequacy; and (4) DOE acknowledged that, although its present quality assurance was inadequate, it would be ready for NRC verification before site characterization began. GAO also found that neither DOE nor NRC have sufficiently attempted to timely address these concerns, since: (1) DOE assigned a higher priority to other project activities and did not resolve any of the problems NRC identified; and (2) NRC did not aggressively pursue opportunities to more adequately assess the quality assurance program and did not raise unresolved issues to higher-level NRC or DOE management for possible resolution.

Recommendation To Agencies: The Secretary of Energy should proceed with site characterization work segments only after the Secretary determines that all quality assurance programs related to regulatory work are in place and meet NRC standards. The Secretary of Energy should proceed with site characterization work segments only after NRC has notified DOE that it concurs with the Secretary's determination. To help ensure that quality assurance concerns are addressed in a timely manner, the Chairman, NRC, should use NRC nuclear waste quarterly progress reports as a vehicle for bringing these concerns to the attention of senior NRC management. To ensure that issues raised as a result of the interaction between NRC and DOE are resolved early, the Secretary of Energy and the Chairman, NRC, should incorporate into the pre-licensing consultation agreement procedures for ensuring that issues will be resolved on mutually agreeable schedules.

#### 137176

Satellite Data Archiving: U.S. and Foreign Activities and Plans for Environmental Information. RCED-88-201; B-231276. September 29, 1988.

Released October 31, 1988. 45 pp. plus 4 appendices (7 pp.). Report to Rep. James H. Scheuer, Chairman, House Committee on Science, Space, and Technology: Natural Resources, Agriculture Research and Environment Subcommittee; Sen. John C. Danforth, Ranking Minority Member, Senate Committee on Commerce, Science and Transportation: Sen. Ernest F. Hollings. Chairman, Senate Committee on Commerce, Science and Transportation; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to PSAD-77-114, June 27, 1977, Accession Number 102740.

Issue Area: Science and Technology Policy and Programs: Other Issue Area Work (9391).

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science,
Space, and Technology (250.0).

Organization Concerned: National
Oceanic and Atmospheric
Administration; National Aeronautics
and Space Administration; Department
of the Interior: Geological Survey;
Department of Commerce.

Committee on Appropriations: Interior

Congressional Relevance: House

Subcommittee; House Committee on Appropriations: Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee; House Committee on Science, Space, and Technology; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Appropriations: Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee; Senate Committee on Commerce, Science and Transportation; Congress; Rep. James H. Scheuer: Sen. John C. Danforth; Sen. Ernest F. Hollings. Authority: Aeronautics and Space Act (P.L. 85-568). NASA Management Instruction 8030.3A. Presidential Directive 54. Land Remote-Sensing Commercialization Act of 1984 (P.L. 98-365). H.R. 4782 (100th Cong.).

Abstract: Pursuant to a congressional request, GAO reviewed U.S. and international environmental satellite data archiving activities and plans. Findings/Conclusions: GAO found that: (1) the National Oceanic and Atmospheric Administration (NOAA), the National Aeronautics and Space Administration (NASA), and the U.S.

Geological Survey (USGS) are primarily responsible for archiving environmental satellite data; (2) the agencies expect a significant future increase in satellite data and, to varying degrees, have begun planning for the expected increase: (3) NOAA is examining the possibility of private firms taking over its archiving functions; (4) NASA is planning on significant technological advances and interagency cooperation to archive data; and (5) possible future reductions in archiving funding could reduce USGS archiving activities. GAO also found that: (1) since 1977, Japan, France, India, and a group of 13 European countries have launched at least 9 environmental satellites; and (2) several countries have plans to launch at least 30 additional environmental satellites between 1988 and 1997.

Recommendation To Congress:
Considering that the Department of
Commerce has not requested or provided
funds for creating the National Satellite
Land Remote Sensing Data Archive and
that officials told GAO that they do not
anticipate doing so in the future,
Congress, if it still wants the archive to
be created, may wish to provide specific
funding for the archive.

# 137197

Nuclear Health and Safety: Summary of Major Problems at DOE's Rocky Flats Plant. RCED-89-53BR; B-222195. October 27, 1988. Released October 27, 1988. 21 pp. plus 2 appendices (4 pp.). Briefing Report to Rep. David Skaggs; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-90-104, April 12, 1990. Accession Number 141525.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy: Rocky Flats Nuclear Weapons Production Facility; Rockwell International Corp.

Congressional Relevance: Rep. David Skaggs.

Abstract: In response to a congressional request, GAO summarized the major environmental, safety, and health (ES&H) problems at the Department of Energy's (DOE) Rocky Flats Nuclear Weapons Plant, which is the focal point for DOE plutonium operations. Findings/Conclusions: GAO found that: (1) since 1986, DOE has performed three technical safety appraisals, which made

230 recommendations covering a wide range of safety and health standards; (2) many of the recommendations applied to more than one building and generally related to inadequate management attention to the plant's safety and health programs and deficient radiological and fire protection; (3) the plant lacked specific safety objectives and adequate oversight to ensure the completion and effectiveness of corrective actions; (4) although DOE instituted a series of short-term measures to improve plant conditions in February 1988, an internal plant appraisal in September 1988 indicated that safety and health programs still needed improvement; and (5) operations officials did not provide the plant contractor with sufficient direction, emphasis, and guidance. GAO also found that: (1) groundwater contamination and inactive waste sites were the plant's two major interrelated environmental contamination problems; and (2) DOE estimated that the cost to correct or reduce the contamination through 1995 would total \$323 million and an additional \$120 million to \$180 million to complete corrective actions. In addition, GAO found that: (1) many of the plant buildings were built in 1950 and did not meet modern standards and codes; (2) building deterioration affected operations and many buildings needed considerable day-to-day maintenance: (3) DOE estimated that rebuilding and upgrading the plant would cost over \$1 billion; and (4) DOE ordered the shutdown of operations in one building because of its inadequate radiological safety margins and its age.

# 137216

Nuclear Health and Safety: DOE Needs to Take Further Actions to Ensure Safe Transportation of Radioactive Materials. RCED-88-195; B-222195. September 27, 1988.

Released November 4, 1988. 41 pp. plus 4 appendices (10 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-81-108, August 4, 1981, Accession Number 115979; RCED-86-175, June 16, 1986, Accession Number 130260; and RCED-89-61FS, December 14, 1988, Accession Number 137713.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Nuclear Regulatory Commission; Westinghouse Hanford Co. Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Commerce, Science and Transportation: Surface Transportation Subcommittee; Senate Committee on Governmental Affairs: Sen. John H. Glenn.

Authority: Hazardous Materials Transportation Act (49 U.S.C. 1801 et seq.). Transportation of Explosives Act (18 U.S.C. 831 et seq.). Dangerous Cargo Act (Ships) (46 U.S.C. 170). Aviation Act (49 U.S.C. 1421 et seq.). Department of Transportation Act (49 U.S.C. 1655). DOE Order 5480.3. DOE Order 5610.1. 49 C.F.R. 173.7. 10 C.F.R. 71.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) regulation of its program for transporting high-level radioactive materials.

Findings/Conclusions: GAO found that: (1) the Nuclear Regulatory Commission identified safety-related concerns with DOE-certified containers for transporting radioactive material, involving structure, containment, shielding, thermal, criticality, and acceptance testing and maintenance conditions; (2) these concerns prompted DOE to revamp container certification procedures, consolidate certification responsibility at national headquarters, and remove many of the containers from the transport program; (3) a DOE contractor's review identified inadequate documentation that the containers complied with safety requirements, the use of nonconservative analyses, and calculation errors; (4) DOE continued to use the containers up to 3 months after the contractor identified these problems; (5) DOE used three containers for several years without ever obtaining certification; (6) DOE used four containers with only 60-day approvals for several years; and (7) DOE regarded inadequate demonstration and certification as documentation problems not affecting container safety. Recommendation To Agencies: In accordance with the provisions of DOE Order 5480.3, the Secretary of Energy should promptly develop written guidance for addressing and resolving safety-related concerns raised about the

packages used to ship nonweapons, highlevel radioactive materials. This guidance should include provisions for approving the continued use of these packages by an organization that does not manage their use. The Secretary of Energy should: (1) promptly conduct an independent review of all available documentation to ensure that package designs approved for transporting nuclear explosives, nuclear components, and special assemblies meet all applicable safety regulations; and (2) consolidate certification responsibilities for these packages with the centralized package certification program at DOE headquarters.

# 137237

Air Pollution: Issues Inhibiting Marine Vessel Emission Controls Are Still Unresolved. RCED-89-12; B-226223. October 7, 1988.

Released November 8, 1988. 24 pp. plus 1 appendix (1 pp.). *Report* to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Hugh J. Wessinger, Senior Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Environmental Protection: Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814); Transportation: Other Issue Area Work (6691).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

# **Organization Concerned:**

Environmental Protection Agency; United States Coast Guard; Maritime Administration.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Clean Air Act.

Abstract: In response to a congressional request, GAO reviewed federal and state efforts to: (1) control marine vessel emissions; and (2) address vessel safety and interstate commerce issues.

Findings/Conclusions: GAO found that:
(1) neither the Environmental Protection
Agency (EPA) nor the states
implemented marine vessel emission
controls because the industry, the Coast
Guard, and the Maritime
Administration raised concerns about

their safety, cost, and effects on interstate commerce; (2) vessel operators were concerned about the costs of vapor recovery systems and the possibility that differing requirements would restrict vessel operations in some states; (3) although the Coast Guard and EPA attempted to resolve some of the issues, they discontinued their efforts in 1981 due to EPA budget reductions; (4) the Coast Guard resumed its efforts in 1984 and anticipated issuing safety regulations for vapor recovery systems in 1990; (5) the Coast Guard and Maritime Administration developed a proposal to amend the Clean Air Act to give EPA authority to regulate marine vessel emissions and the Coast Guard authority to establish and enforce safety regulations; and (6) EPA proposed a national ozone strategy to provide support for the states in controlling emissions from various sources.

#### 137268

Nuclear Regulation: Stricter Controls Needed for Radioactive Byproduct Material Licenses. RCED-89-15; B-221188. October 12, 1988.

Released November 15, 1988. 33 pp. plus 3 appendices (11 pp.). *Report* to Rep. Edward F. Feighan; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-77-46, June 16, 1977, Accession Number 102777; and B-164105, August 18, 1972, Accession Number 093468.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Energy and
Commerce: Energy and Power
Subcommittee; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Energy and Natural
Resources; Senate Committee on
Governmental Affairs; Rep. Edward F.
Feighan.

Authority: Atomic Energy Act of 1954. Energy Reorganization Act of 1974. 10 C.F.R. 19. 10 C.F.R. 30. 10 C.F.R. 39. 10 C.F.R. 40. 10 C.F.R. 70. 10 C.F.R. 71.

Abstract: Pursuant to a congressional request, GAO reviewed the Nuclear Regulatory Commission's (NRC) licensing, inspection, and enforcement

program for the use of radioactive materials.

application information; (2) visit

Findings/Conclusions: GAO found that

NRC usually did not: (1) verify license

facilities before granting licenses; (3)

have specific, detailed criteria for its

license reviewers to determine when a

denial was warranted; or (4) ensure that applicants and licensees could pay to clean up facilities contaminated by spills or releases of radioactive material. GAO also found that NRC: (1) sometimes took over a year to renew licenses, possibly allowing licensees to operate in an unsafe manner; (2) did not have specific criteria directing the use of financial penalties against licensees who repeatedly violated training, radiation monitoring, and recordkeeping regulations; and (3) has been slow to establish a certification program for industrial radiographers. Recommendation To Agencies: To enhance NRC efforts to improve the materials licensing program, the Chairman, NRC, should develop detailed license denial criteria and define the circumstances that require a prelicense inspection or information verification procedures. To enhance NRC efforts to improve the materials licensing program, the Chairman, NRC, should finalize regulations that require a minimum level of financial assurance that licensees can pay for the cleanup of accidental spills and releases. To enhance NRC efforts to improve the materials licensing program, the Chairman, NRC, should require that broad scope or, at a minimum, medical treatment licensees begin license renewal actions 1 year in advance and that NRC conduct inspections before extending the licenses. To enhance NRC efforts to improve the materials licensing program, the Chairman, NRC, should review NRC policies for imposing

#### 137286

Superfund: Interim Assessment of EPA's Enforcement Program. RCED-89-40BR; B-226922. October 12, 1988.

civil penalties on licensees who

enforcement actions is needed.

repeatedly violate administrative

requirements in order to determine

whether further guidance on appropriate

Released November 16, 1988. 26 pp. plus 2 appendices (3 pp.). Briefing Report to Sen. Frank R. Lautenberg, Chairman, Senate Committee on Environment and Public Works: Superfund and Environmental Oversight Subcommittee; by Hugh J. Wessinger, Senior Associate Director, Resources, Community, and

Economic Development Division. Refer to T-RCED-89-48, June 15, 1989, Accession Number 138865.

Issue Area: Environmental Protection: Assessing Effectiveness and Efficiency of the Use of Superfund Resources (6813). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: Senate Committee on Environment and Public Works: Superfund and Environmental Oversight Subcommittee; Sen. Frank R. Lautenberg.

Authority: Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Superfund Amendments and Reauthorization Act of 1986.

Abstract: In response to a congressional request, GAO reviewed the Environmental Protection Agency's (EPA) Superfund Program to determine whether EPA: (1) used its enforcement tools effectively to clean up hazardous waste sites; (2) could do a better job of recovering cleanup costs from potentially responsible parties; and (3) had the necessary framework to plan, manage, and oversee the program. Findings/Conclusions: GAO found that EPA: (1) continued to have problems with the adequacy and timeliness of its search for potentially responsible parties liable for site cleanup; (2) inconsistently tracked and followed up on the information request letters it used to establish potential liability; (3) did not fully document its reasons for not using unilateral administrative orders to compel responsible-party site cleanup; (4) did not timely issue special-notice letters used to start negotiations for responsible-party cleanups; and (5) had accounting system problems that hampered its efforts to recover the Superfund money it used to clean up contaminated sites.

# 137326

Transition Series on Issues Facing New Administration. November 1988. 641 pp. by Charles A. Bowsher, Comptroller General. This is the complete set of the Transition Series. Refer to T-GGD-89-2S, January 18, 1989, Accession Number 137804.

Contact: Office of the Comptroller General.

**Organization Concerned:** Government-Wide; Department of the Treasury;

Department of Transportation; Federal Home Loan Bank Board: Federal Savings and Loan Insurance Corporation; Office of the U.S. Trade Representative; Department of Commerce; Department of Agriculture; Office of Management and Budget; Department of Defense; Department of Health and Human Services; Federal Aviation Administration; Department of Housing and Urban Development; Department of Labor; Department of Justice; Department of Veterans Affairs; Abstract: This is a series of reports on major policy, management, or program issues facing many key agency heads in the new administration.

## 137342

Transition Series: Energy Issues. OCG-89-16TR; B-158195. November 1988. 38 pp. *Report* to Congress; Secretary-designate, Department of Energy; by Charles A. Bowsher, Comptroller General. This is part of Transition Series on Issues Facing New Administration, November 1988, Accession Number 137326. Refers to numerous reports and testimonies on energy issues. Refer to RCED-90-125, April 20, 1990, Accession Number 141399.

Issue Area: Energy (6400). Contact: Office of the Comptroller General.

**Budget Function:** Energy (270.0). **Organization Concerned:** Department of Energy.

Congressional Relevance: Congress.
Authority: Nuclear Waste Policy Act of 1982. Clean Air Act. Nuclear Non-Proliferation Act of 1978. Stevenson-Wydler Technology Innovation Act of 1980. Technology Transfer Act (Federal). Freedom of Information Act. Atomic Energy Act of 1954.

Abstract: GAO summarized the major issues facing the Department of Energy (DOE).

Findings/Conclusions: GAO found that DOE will need to: (1) implement the modernization and safe operation of its nuclear weapons complex; (2) reduce the nation's vulnerability to oil supply disruptions; (3) develop a nuclear waste program; (4) commercialize clean coal technologies; (5) respond to changes in the electric utility industry; (6) improve controls over the export of sensitive nuclear data; and (7) revitalize the uranium enrichment program.

# 137346

Transition Series: Environmental Protection Agency Issues. OCG-89-

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20TR; B-158195. November 1988. 28 pp. Report to Congress; Administrator-designate, Environmental Protection Agency; by Charles A. Bowsher, Comptroller General. This is part of Transition Series on Issues Facing New Administration, November 1988, Accession Number 137326. Refers to numerous other GAO reports on environmental issues.

Issue Area: Environmental Protection: Other Issue Area Work (6891). Contact: Office of the Comptroller General.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: Congress. Authority: Clean Air Act. Insecticide, Fungicide and Rodenticide Act.

Abstract: GAO presented its views on Environmental Protection Agency (EPA) program issues facing the new administration.

Findings/Conclusions: GAO found that the new administration will need to: (1) manage environmental programs with greater emphasis on achieving measurable environmental results: (2) implement a multimedia approach in monitoring and evaluating changing environmental conditions; (3) rank results-oriented environmental goals in order of priority as a basis for planning and budgeting activities and link them to the EPA financial management system; (4) develop a more effective partnership with states to carry out the nation's pollution abatement efforts; (5) improve the focus and direction of the hazardous waste program; (6) develop a more effective strategy for the Superfund Program that ensures quick site cleanups and that responsible parties share the cleanup costs; (7) ensure that federal agencies comply with environmental regulations; (8) increase EPA evaluation of nonhazardous wastes and determine the federal role in the control of nonhazardous wastes; (9) create a new policy for reducing groundlevel ozone to environmentally safe levels; (10) focus increased management attention on the long-term health effects of pesticide products; and (11) develop a comprehensive approach to controlling surface water pollution that recognizes point and nonpoint sources of pollution, to improve the quality of the nation's waterways.

# 137374

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of September 30, 1988. RCED-89-22FS; B-202377. November 22, 1988. 20 pp. plus 2 appendices (2 pp.). Fact Sheet to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Dwayne Weigel, (for Keith O. Fultz, Senior Associate Director), Resources, Community, and Economic Development Division. Refer to RCED-88-204BR, August 29, 1988, Accession Number 136683.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation

Organization Concerned: Department of Energy; Nuclear Regulatory Commission; Nevada; Department of Energy: Office of Civilian Radioactive Waste Management; Science Applications International Corp. Congressional Relevance: Senate Committee on Energy and Natural Resources; Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston. Authority: Nuclear Waste Policy Act of 1982. 10 C.F.R. 2. P.L. 100-203. **Abstract:** In response to a congressional request, GAO provided its quarterly report on the Department of Energy's (DOE) efforts to implement the Nuclear Waste Policy Act of 1982, focusing on the: (1) nuclear industry's and Nevada's comments on the DOE draft plan for investigating the Yucca Mountain nuclear waste repository site; and (2) DOE and Nuclear Regulatory Commission (NRC) efforts to streamline the licensing proceedings and to develop the Licensing Support System. Findings/Conclusions: GAO reviewed the comments on the draft site characterization plan, and found that: (1) the utility industry noted that the plan was thorough, and exceeded the act's requirements: (2) the industry believes that DOE should develop a methodology for evaluating the Yucca Mountain site separately from the plan to discover any factors that would eliminate the site from consideration; (3) Nevada believes that the plan did not comply with the act's requirements for site characterization; (4) Nevada noted that

the characterization was incomplete. lacked decontamination and decomposition plans, and did not contain the required conceptual design of a repository; (5) the DOE Office of Civilian Radioactive Waste Management estimated that the \$195 million needed to develop the Licensing Support System would equal the cost of a 1-year delay in streamlining licensing procedures; and (6) DOE awarded a \$5.7-million contract to develop the system, which would be capable of producing all relevant documentation associated with repository license application procedures.

#### 137568

Hazardous Waste: The Cost and Availability of Pollution Insurance. PEMD-89-6; B-224651. October 28, 1988.

Released December 21, 1988. 29 pp. plus 3 appendices (21 pp.), Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Eleanor Chelimsky, Director, Program Evaluation and Methodology Division. Refer to RCED-88-2, October 16, 1987, Accession Number 134208: GGD-87-67. July 13, 1987, Accession Number 133519; GGD-86-56FS, April 9, 1986, Accession Number 129554; RCED-89-160, September 26, 1989, Accession Number 139622; and RCED-90-64, June 1, 1990, Accession Number 141474.

Issue Area: Program Evaluation and Methodology: Intended and Unintended Effects of Operational Systems and Technologies (7201).

Contact: Program Evaluation and Methodology Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

**Organization Concerned:** Environmental Protection Agency. Congressional Relevance: House Committee on Energy and Commerce; House Committee on Appropriations: Energy and Water Development Subcommittee: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee: Senate Committee on Environment and Public Works; Senate Committee on Appropriations: Energy and Water Development Subcommittee: Congress; Rep. Michael L. Synar. Authority: Resource Conservation and Recovery Act of 1976, 40 C.F.R. 264,147, 40 C.F.R. 265.147. Hazardous and Solid

Waste Amendments of 1984. Jackson

Township Municipal Utilities Authority

v. Hartford Accident and Indemnity Co., 451 A.2d 990 (N.J. Super. 1982). Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Superfund Amendments and Reauthorization Act of 1986.

Abstract: Pursuant to a congressional request, GAO reviewed the availability of pollution liability insurance for owners and operators of hazardous waste facilities, specifically: (1) changes in financial responsibility mechanisms since 1982; (2) how the number of insurance companies offering pollution liability insurance had changed since 1982; and (3) how the insurance industry determines risk and sets rates for pollution liability insurance and how sound those methods are.

pollution liability insurance and how sound those methods are. Findings/Conclusions: GAO found that: (1) in 1982, the Environmental Protection Agency (EPA) required facility owners and operators to have liability coverage through a liability insurance policy, a financial test, or a combination of the two; (2) from 1982 to 1984, about two-thirds of hazardous waste land disposal facilities used insurance to fulfill the financial responsibility requirements, but in 1986, most used the financial test option; and (3) in September 1988, EPA expanded the financial responsibility mechanisms by accepting letters of credit, surety bonds, trust funds, and guarantees by nonparent firms. GAO also found that: (1) the number of insurers providing sudden and accidental coverage rose from 35 in 1982 to 42 in 1984 and then declined to 31 in 1986; (2) the number of insurers providing gradual pollution coverage rose from 7 in 1982 to 19 in 1984 and then declined to 12 in 1986; (3) the number of policies written and the total pollution liability coverage had decreased dramatically since 1984; and (4) some insurance policies offered limited coverage or provided only nominal protection. GAO could not find data adequate to develop an actuarial basis for judging the soundness of the industry's ratesetting for pollution insurance, since EPA did not require insurers to file loss information separately for pollution insurance. Recommendation To Congress: Congress may wish to consider authorizing EPA to collect the appropriate information to assess the reasonableness of the costs of insurance to meet EPA liability coverage requirements. Such information would include premiums and additional costs to the insured operator, underwriting expenses for the insurer, and any limitations to the financial protection afforded under the insurance contract. Recommendation To Agencies: EPA has recently expanded the number of

financial mechanisms that hazardous waste facility owners and operators may use to demonstrate financial responsibility. EPA should carefully monitor the effects of this additional flexibility on the number and size of operations using noninsurance alternatives to determine if it does not have the intended effect of reducing the problem created by the constrained insurance market.

#### 137610

Air Pollution: EPA's Ozone Policy Is a Positive Step but Needs More Legal Authority. RCED-89-28; B-208593. November 23, 1988. Released December 28, 1988. 34 pp. plus 4 appendices (11 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-85-121, September 30, 1985, Accession Number 128483; and RCED-88-40, January 26, 1988, Accession Number 134947.

Issue Area: Environmental Protection: Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency.

Congressional Relevance: House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee; Rep. John D. Dingell.
Authority: Clean Air Act. Clean Air Act
Amendments of 1977. Clean Air Act
Amendments of 1970. H.R. 3054 (100th
Cong.). B-208593.3 (1988). B-208593 (1983).
B-221421 (1986).

Abstract: In response to a congressional request, GAO examined the legality of the Environmental Protection Agency's (EPA) proposed ozone policy, focusing on: (1) legal and other problems EPA might encounter in implementing the policy; and (2) whether the policy would correct problems associated with past ozone programs.

Findings/Conclusions: GAO found that, under the proposed policy, EPA would: (1) extend from 3 to 5 years the deadlines for meeting the ozone standards; (2) recommend that the Department of Transportation withdraw highway funds from states and localities

that fail to submit a revised plan for meeting ozone standards; (3) enlarge the boundaries of ozone nonattainment areas to include areas that meet ozone standards; (4) require a minimum 3percent annual reduction in hydrocarbon emissions; and (5) impose economic sanctions on state or local governments for failure to develop or implement the required plans. GAO also found that state and local government officials expressed concern regarding the: (1) costs and financial burden of the new policy on states and localities; and (2) ability of areas to reduce emissions by 3 percent annually. GAO believes that EPA: (1) has no authority to waive nonattainment sanctions; (2) has no authority to withdraw highway funds for post-1982 nonattainments; (3) cannot make grants to any nonattainment states; (4) should require states to revise their implementation plans to reduce nonattainment; and (5) has no authority to categorize areas as nonattaining when they met ozone standards.

# 137671

Air Pollution: Status of Dispute Over Alaska Oil Pipeline Air Quality Controls. RCED-89-37; B-233149. December 9, 1988. Released January 9, 1989. 9 pp. plus 3 appendices (5 pp.). Report to Sen. Howard M. Metzenbaum, Chairman, Senate Committee on Energy and Natural Resources: Energy Regulation and Conservation Subcommittee; by Hugh J. Wessinger, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to OP-2-HP, January 1990, Accession Number 140415.

Issue Area: Environmental Protection: Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Alyeska Pipeline Service Co.; Environmental Protection Agency; Alaska.

Congressional Relevance: Senate Committee on Energy and Natural Resources: Energy Regulation and Conservation Subcommittee; Sen. Howard M. Metzenbaum.

Authority: Clean Air Act. Clean Air Act Amendments of 1977.

Abstract: Pursuant to a congressional request, GAO investigated whether federal or state laws required an Alaskan pipeline services company to

file for a new air quality control permit, since the firm had: (1) increased the amount of natural gas liquids in its pipeline; and (2) made operational equipment changes to its terminal's waste gas incinerators.

Findings/Conclusions: GAO found that: (1) the firm's original air quality control permit was issued in 1974, before current federal air quality regulations were enacted; (2) the current regulations required the firm's terminal to obtain a Prevention of Significant Deterioration (PSD) program permit only if the firm made major equipment modifications; (3) the Environmental Protection Agency (EPA) and Alaska's Department of **Environmental Conservation (ADEC)** believed that the firm's increase in natural gas liquids and volatile organic compounds and the equipment changes required it to obtain a PSD permit; (4) the firm believed that the events did not trigger the need for a PSD permit; (5) neither EPA nor ADEC have conducted detailed inspections of the terminal, citing a lack of staff and the nonspecific nature of the operating permit; (6) EPA, ADEC, and the firm have attempted to resolve the permit issue since late 1987, with EPA and ADEC proposing that the firm apply for a new permit and the firm proposing that it review and rewrite its existing permit; and (7) both proposals showed a willingness of all parties to work toward negotiating a settlement.

# 137701

Water Pollution: More EPA Action Needed to Improve the Quality of Heavily Polluted Waters. RCED-89-38; B-232918. January 6, 1989. Released January 13, 1989. 36 pp. plus 3 appendices (14 pp.). Report to Rep. Ron Wyden, Chairman, House Committee on Small Business: Regulation and Business Opportunities Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to PEMD-86-6, September 19, 1986, Accession Number 131361.

Issue Area: Environmental Protection: Assessing How Water Pollution Facilities Are Reducing Pollutants From the Nation's Waters (6804).

**Contact:** Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0%

Organization Concerned: Environmental Protection Agency; Environmental Protection Agency: Region X, Seattle, WA.

House Committee on Public Works and Transportation: Investigations and Oversight Subcommittee: House Committee on Small Business: Regulation and Business Opportunities Subcommittee: Senate Committee on Appropriations: HUD-Independent Agencies Subcommittee; Senate Committee on Environment and Public Works: Environmental Protection Subcommittee; Rep. Ron Wyden. **Authority:** Water Pollution Control Act Amendments of 1972 (Federal) (33 U.S.C. 1251 et seq.). Water Quality Act of 1987. Scott v. City of Hammond, 741 F.2d 992 (7th Cir. 1984). Federal Managers' Financial Integrity Act of 1982. **Abstract:** In response to a congressional request, GAO reviewed the Environmental Protection Agency's (EPA) Region X to determine: (1) how well EPA and the states implemented Clean Water Act requirements to clean up rivers that did not meet water quality standards after construction of treatment plants; and (2) what actions EPA and Oregon took to set stricter pollution limits on the Tualatin and South Umpqua Rivers. Findings/Conclusions: GAO found that: (1) many states and EPA did not develop total maximum daily loads (TMDL) for many of the nation's most polluted waters; (2) EPA did not track development and implementation of TMDL for individual water segments or TMDL effectiveness in meeting state water quality standards; (3) state officials did not plan to set TMDL for water-quality-limited segments beyond their existing plans because they preferred to use the funds to implement 1987 legislative water quality requirements; (4) although limited budgets and increased water pollution control requirements imposed difficulties on EPA and states, TMDL requirements provided a comprehensive approach to resolving all water pollution problems; (5) setting maximum levels could help to identify more effective and cost-efficient cleanup alternatives; (6) as a result of a consent decree, Oregon initiated actions to develop TMDL for 11 bodies of water and for 1 pollutant for the Tualatin River; and (7) Oregon planned to set TMDL for the remaining pollutant in the Tualatin River by the end of the year, and TMDL for the Umpqua River

Congressional Relevance: House

Committee on Appropriations: HUD-

Independent Agencies Subcommittee:

Recommendation To Agencies: To give a greater sense of direction to implementing the Clean Water Act's TMDL requirements, the Administrator,

and eight other bodies of water by June

EPA, should work with the states to set time frames, recognizing the priorities imposed by the Water Quality Act of 1987 requirements and budget resources, for developing TMDL on their waterquality-limited segments. For those states that do not set or meet their TMDL time frames, EPA should set time frames for EPA regions to begin developing TMDL. To give a greater sense of direction to implementing the Clean Water Act's TMDL requirements, the Administrator, EPA, should require that the planned Water Body Tracking System incorporate information on the requirements of section 303(d) to ensure that TMDL are developed and action taken to clean up waters that are still below the standards. The system should include, for example, information on waters which have been designated as water-quality-limited, whether TMDL have been set, the time frames for developing TMDL, and whether water quality standards have been met after implementing TMDL. To give a greater sense of direction to implementing the Clean Water Act's TMDL requirements. the Administrator, EPA, should include in the National Water Quality Inventory information on the development, implementation, and effectiveness of TMDL in meeting state water quality standards for water-quality-limited segments. Using this information, EPA can then report to Congress on the status of actions to ensure that the nation's waters are cleaned up. To give a greater sense of direction to implementing the Clean Water Act's TMDL requirements, the Administrator, EPA, should provide case study examples, such as the Dillon Reservoir, to EPA regions and the states, to assist them in developing TMDL and evaluating trade-off strategies for implementing TMDL.

# 137709

Water Pollution: Stronger Enforcement Needed To Improve Compliance at Federal Facilities. RCED-89-13; B-226207. December 27, 1988.

Released January 17, 1989, 67 pp. plus 3 appendices (11 pp.). Report to Rep. Vic Fazio; Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-89-32, April 26, 1989, Accession Number 138550.

Issue Area: Environmental Protection: Assessing How Water Pollution Facilities Are Reducing Pollutants From the Nation's Waters (6804).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

**Organization Concerned:** 

Environmental Protection Agency; Environmental Protection Agency: Office of Water Programs; Department of the Navy; Department of Energy.

Congressional Relevance: House
Committee on Appropriations: HUD-Independent Agencies Subcommittee;
House Committee on Public Works and
Transportation: Investigations and
Oversight Subcommittee; House
Committee on Interior and Insular
Affairs: Water and Power Resources
Subcommittee; Senate Committee on
Appropriations: HUD-Independent
Agencies Subcommittee; Senate
Committee on Environment and Public
Works: Environmental Protection
Subcommittee; Rep. Vic Fazio; Rep.
George Miller.

Authority: Water Pollution Control Act Amendments of 1972 (Federal) (33 U.S.C. 1251 et seq.). Clean Water Act of 1977. Abstract: In response to a congressional request, GAO assessed: (1) federal facilities' compliance with the Water Pollution Control Act; and (2) the Environmental Protection Agency's (EPA) and states' oversight and enforcement of the facilities' compliance with the act.

Findings/Conclusions: GAO found that: (1) most federal facilities did not comply with National Pollutant Discharge Elimination System (NPDES) program priority requirements; (2) in fiscal years 1986 and 1987, federal facilities' noncompliance rate was twice that of private industrial facilities; (3) more than 40 percent of federal facilities had a significant noncompliance problem for more than 1 year; (4) Navy and Department of Energy facilities had the highest noncompliance rates; (5) agency and facility officials cited lengthy budget and procurement processes as factors affecting facilities' noncompliance; (6) EPA and states failed to take timely enforcement actions on 31 of 46 facilities without permits; and (7) EPA did not exercise its authority in 18 instances of untimely state enforcement. Recommendation To Agencies: To ensure

that NPDES regulators take timely and appropriate enforcement actions, the Administrator, EPA, should direct the Office of Water Programs to set criteria for following up with regions on a quarterly basis on the appropriate

compliance strategy to use against all federal facilities for which timely enforcement has not been taken. To ensure that NPDES regulators take timely and appropriate enforcement actions, the Administrator, EPA, should establish management control procedures to ensure that regions are submitting accurate information for all federal facilities on which timely enforcement has not been taken. In conjunction with issuing the compliance strategy for federal facilities, the Administrator, EPA, should take steps necessary to overcome EPA regional staff reluctance to enforce federal facilities in nondelegated states. Steps that should be considered include conducting training or issuing special guidance that: (1) emphasizes to regional staffs the importance of obtaining compliance agreements before federal facilities are reported in significant noncompliance for two consecutive quarters; and (2) emphasizes to regional office program managers the need to ensure regional staff compliance with the EPA policy. The Administrator, EPA, should instruct regions to treat noncompliant federal facilities in delegated states the same as nonfederal facilities by issuing notices to the states when they fail to take timely enforcement actions against federal facilities. If the delegated states do not act after receiving these notices, EPA regional offices should enter into compliance agreements with noncompliant federal facilities.

# 137713

Nuclear Materials: Additional Information on Shipments From DOE's Rocky Flats Plant. RCED-89-61FS; B-216376. December 14, 1988. Released January 19, 1989. 15 pp. plus 1 appendix (1 pp.). Fact Sheet to Sen. Timothy E. Wirth; by David A. Hanna, Manager, Field Operations Division: Regional Office (Denver).

**Issue Area:** Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Sandia National Laboratory; Department of Energy: Idaho National Engineering Laboratory; Department of Energy: Rocky Flats Nuclear Weapons Production Facility; Nuclear Regulatory Commission; Rockwell International Corp. Congressional Relevance: Sen. Timothy E. Wirth.

Authority: 49 C.F.R. 178.104.

Abstract: In response to a congressional request, GAO discussed the transportation factors associated with four alternatives for relocating plutonium processing operations from the Rocky Flats, Colorado, plant to other Department of Energy (DOE) locations, focusing on: (1) Sandia National Laboratory's consideration of human error in estimating risks; (2) testing of DOE transportation containers; (3) continued radiological risks to Rocky Flats workers; (4) possible relocation sites; (5) origins of waste and scrap materials; (6) the adequacy of the DOE transportation fleet; and (7) the use of Nuclear Regulatory Commission data in estimating the economic consequences of a transportation accident.

Findings/Conclusions: GAO found that: (1) Sandia did not consider potential human error in estimating the risks associated with shipping the plutonium because a staff member believed that it would not affect the risk calculations; (2) contractor personnel at the Rocky Flats plant had not adequately tested the durability of the container used for transporting oxides, since they believed that container inspection procedures would detect any problems; (3) radiological risks to workers at Rocky Flats would continue because relocation alternatives would not eliminate all operations involving plutonium at the plant; (4) although DOE considered relocating plutonium operations to an Idaho site, the site did not have plutonium processing capabilities; (5) Rocky Flats would continue to generate waste and scrap material from its existing operations, while materials pretreatment processes associated with moving some operations elsewhere would generate additional scrap materials; (6) increased material shipments to alternative locations could require five additional safety vehicles and personnel; and (7) Sandia used data pertaining to the four alternatives GAO reviewed to calculate the economic consequences of a transportation accident.

# 137714

Groundwater Protection: The Use of Drinking Water Standards by the States. PEMD-89-1; B-228844. December 20, 1988.

Released January 19, 1989. 10 pp. plus 7 appendices (38 pp.). Report to Sen. Max S. Baucus, Chairman, Senate Committee on Environment and Public Works: Hazardous Waste and Toxic Substances

Subcommittee; by Eleanor Chelimsky, Assistant Comptroller General, Program Evaluation and Methodology Division. Refer to PEMD-88-5, February 2, 1988, Accession Number 134964; and PEMD-88-6, March 16, 1988, Accession Number 135289.

Issue Area: Program Evaluation and Methodology: Intended and Unintended Effects of Government Actions in Physical System Areas (7203). Contact: Program Evaluation and Methodology Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: Senate Committee on Environment and Public Works: Hazardous Waste and Toxic Substances Subcommittee; Sen. Max S. Baucus.

Authority: Resource Conservation and Recovery Act of 1976. Safe Drinking Water Act. Clean Water Act of 1977. Abstract: In response to a congressional request, GAO examined whether Environmental Protection Agency (EPA) drinking water standards were appropriate for use as groundwater standards, specifically: (1) whether states relied on EPA standards when setting numeric groundwater standards; (2) states' use of existing numeric groundwater standards in their groundwater protection programs; (3) the potential for groundwater quality degradation using drinking water standards; and (4) how drinking water standards compared to guidelines for protecting uses of groundwater for such purposes as irrigation, livestock watering, and aquatic life. Findings/Conclusions: GAO found that: (1) the 25 states that had numeric groundwater standards relied largely on EPA maximum contaminant levels (MCL); (2) most states surveyed relied on EPA drinking water standards when setting groundwater standards; (3) states focused on eight regulatory activities in making their groundwater protection decisions, including licensing surface discharges, requiring waste disposal facility designs, and containing or cleaning up hazardous waste sites; (4) 92 percent of the areas tested would meet the standards if states adopted MCL as groundwater protection standards, and 43 percent met a limit associated with a one-in-one-million excess cancer risk for one or more of 13 carcinogens; (5) adopting any of the standards would potentially allow for degradation of groundwater resources, since the standards would allow contaminants to

increase to the maximum allowable concentrations; and (6) although MCL would protect livestock and irrigation usage, they were less stringent than the aquatic life guidelines, and only 66.9 percent of the areas tested would meet MCL for aquatic life.

# 137715

Endangered Species: Management Improvements Could Enhance Recovery Program. RCED-89-5; B-229122. December 21, 1988.

Released January 19, 1989. 36 pp. plus 4 appendices (63 pp.). Report to Rep. Gerry E. Studds, Chairman, House Committee on Merchant Marine and Fisheries: Fisheries, Wildlife Conservation and the Environment Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-78, March 26, 1987, Accession Number 132628; and CED-79-65, July 2, 1979, Accession Number 109861.

Issue Area: Natural Resources Management: Assessing Whether Wildlife Protection Programs Are Efficiently Meeting Their Goals (6918). Contact: Resources, Community, and

Economic Development Division.

Budget Function: Natural Resources

**Budget Function:** Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of the Interior; Department of Commerce; United States Fish and Wildlife Service; National Oceanic and Atmospheric Administration: National Marine Fisheries Service.

Congressional Relevance: House
Committee on Appropriations:
Department of the Interior and Related
Agencies Subcommittee; House
Committee on Merchant Marine and
Fisheries: Fisheries, Wildlife
Conservation and the Environment
Subcommittee; Senate Committee on
Appropriations: Interior and Related
Agencies Subcommittee; Senate
Committee on Environment and Public
Works; Rep. Gerry E. Studds.

Authority: Endangered Species Act of 1973 (P.L. 93-205). Marine Mammal Protection Act of 1972. Endangered Species Act Amendments of 1978.

Abstract: In response to a congressional request, GAO examined possible implementation deficiencies under the Endangered Species Program to determine: (1) the extent of recovery of domestic threatened and endangered species; (2) federal agencies' progress in developing recovery plans; and (3)

whether the agencies implemented their recovery plans.

Findings/Conclusions: GAO found that it was unable to measure program success because: (1) few domestic species were officially declared either extinct or recovered; (2) the Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) lacked centralized information on species' movement toward or away from recovery; (3) increased work loads and funding shortfalls hampered FWS and NMFS recovery efforts; (4) FWS did not adhere to its priority system for preparing and updating recovery plans, allocating funds, or tracking recovery activities; and (5) FWS concentrated its recovery funds on highly visible species and those species that were approaching recovery, rather than prioritizing the most endangered species and those actions needed to prevent future extinctions. GAO also found that: (1) the agencies had not initiated many planned recovery tasks; and (2) as of September 30, 1987, the agencies had approved plans for 56 percent of the domestic species and had plans underway for an additional 18 percent.

Recommendation To Agencies: The Secretaries of Commerce and the Interior should direct the Directors, NMFS and FWS, respectively, to develop and maintain centralized information on the status of all listed domestic species. The Secretaries of Commerce and the Interior should direct the Directors. NMFS and FWS, respectively, to develop and maintain a tracking system of all initiated recovery activities. Initiated tasks should be identified by recovery plan task numbers and, when possible, indicate implementation costs. The Secretaries of Commerce and the Interior should direct the Directors, NMFS and FWS, respectively, to ensure that: (1) recovery plans are annually reviewed, are updated as necessary, and do not contain inappropriately classified high-priority task designations; and (2) the priority systems are used in allocating recovery funds or amended. The Director, NMFS, should also clarify how the agency's priority system, once finalized, can recognize species approaching recovery while giving priority to the most endangered species. The Secretary of the Interior should direct the Director, FWS, to take those steps necessary to ensure that any funding reallocations within the endangered species program comply with budgetary reprogramming procedures.

#### 137785

[GAO's Views on DOE's Modernization Plan for the Weapons Complex]. T-RCED-89-5. January 25, 1989. 14 pp. plus 2 appendices (2 pp.). Testimony before the Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310; and RCED-88-137, July 8, 1988, Accession Number 136307.

Contact: Resources, Community, and Economic Development Division.

**Organization Concerned:** Department of Energy.

Congressional Relevance: Senate Committee on Governmental Affairs. Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L.

100-180), P.L. 100-456, Abstract: GAO discussed the Department of Energy's (DOE) recently issued plan to modernize its nuclear weapons production complex. GAO found that: (1) while DOE was identifying and characterizing the extent of the problems within its complex, several problems surfaced which forced it to shut down reactors at several plants and halted nuclear weapons material production; (2) DOE implemented a program to address the extent of environmental, health, and safety problems at its major weapons complex facilities; and (3) the inspectors that DOE assigned at its major facilities were instrumental in disclosing significant safety problems. GAO also found that: (1) while the modernization plan showed what facilities would need to meet production needs in 2010, it did not adequately address the cleanup of existing facilities or the decontamination of retired facilities; (2) the total cost estimates ranged from \$100 billion to over \$155 billion; (3) the true costs could differ greatly from the estimates due to the lack of specific cleanup procedures, facility construction cost overruns, and the cost of building new production reactors; (4) DOE may not have sufficient technical expertise to accomplish all of the required tasks; and (5) DOE did not have all the policies and standards in place to guide the modernization effort. GAO believes that DOE should periodically update the plan to keep Congress and the public informed on the overall direction. priorities, and progress of the

modernization efforts.

#### 137801

[Transition Issues: Critical Issues and Problems Facing the New Administration and Congress]. T-GGD-89-2. January 18, 1989. 28 pp. plus 1 attachment (1 pp.). Testimony before the Senate Committee on Governmental Affairs; by Charles A. Bowsher, Comptroller General. Refer to The Transition Series on Issues Facing the New Administration, November 1988, Accession Number 137326; and T-GGD-89-2S, January 18, 1989, Accession Number 137804.

Contact: General Government Division. Organization Concerned: Government-Wide.

Congressional Relevance: Senate Committee on Governmental Affairs. Authority: Department of Defense Authorization Act, 1988 and 1989. P.L. 100-456. Resource Conservation and Recovery Act of 1976.

Abstract: GAO discussed critical issues that Congress and the new administration must face if the government is to function well. GAO found that: (1) in 1988, the reported budget deficit of \$155 billion consisted of a surplus of \$97 billion in trust funds and a deficit in the general funds of \$252 billion: and (2) unfunded costs included about \$85 billion to solve the savings and loan crisis, between \$100 billion and \$150 billion to modernize and clean up the nuclear weapons production complex, modernization of several agencies' computer and telecommunications systems, and a military budget that doubled over 5 years. GAO believes that: (1) a broad restructuring and rebuilding of the government's overall financial management structure is essential and should be a top priority for the new administration and Congress; and (2) its transition reports include a variety of specific suggestions for governmentwide consideration on how to attract quality personnel for public service and improve the way the government manages its major computer and telecommunications systems, financial and budget affairs, and program evaluation information.

#### 137804

[Transition Issues: Overview of GAO's Transition Series Reports]. T-GGD-89-2S. January 18, 1989. 8 pp. plus 2 appendices (11 pp.). Testimony before the Senate Committee on Governmental Affairs; by Charles A. Bowsher, Comptroller General. Refer to The Transition Series on Issues Facing the New Administration, November 1988, Accession Number

137326; and T-GGD-89-2, January 18, 1989, Accession Number 137801.

Contact: General Government Division. Organization Concerned: Government-Wide.

Congressional Relevance: Senate Committee on Governmental Affairs. Authority: Job Training Partnership Act

Abstract: GAO discussed its views on such governmentwide policy issues as the budget deficit, public service, revenue options, information technology, financial services, international trade, financial management, and program evaluation.

## 137808

Superfund: Missed Statutory
Deadlines Slow Progress in
Environmental Programs. RCED-8927; B-226251. November 29, 1988.
Released January 30, 1989. 39 pp. plus 2
appendices (20 pp.). Report to Sen. Frank
R. Lautenberg, Chairman, Senate
Committee on Environment and Public
Works: Superfund and Environmental
Oversight Subcommittee; by J. Dexter
Peach, Assistant Comptroller General,
Resources, Community, and Economic
Development Division. Refer to T-RCED89-48, June 15, 1989, Accession Number
138865.

Issue Area: Environmental Protection: Assessing Effectiveness and Efficiency of the Use of Superfund Resources (6813). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency; Environmental Protection Agency: Office

of Legislative Analysis.

Congressional Relevance: House Committee on Appropriations: HUD-Independent Agencies Subcommittee; House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; House Committee on Energy and Commerce: Health and the Environment Subcommittee; Senate Committee on Appropriations: HUD-Independent Agencies Subcommittee; Senate Committee on Environment and Public Works: Environmental Protection Subcommittee; Senate Committee on **Environment and Public Works:** Superfund, Ocean and Water Protection Subcommittee; Congress; Sen. Frank R. Lautenberg.

Authority: Superfund Amendments and Reauthorization Act of 1986.

Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Occupational Safety and Health Act of 1970. Solid Waste Disposal Act. Tax Reform Act of 1986. Federal Managers' Financial Integrity Act of 1982. Executive Order 12580. 10 U.S.C. 2701 et seq. Resource Conservation and Recovery Act of 1976.

Abstract: Pursuant to a congressional request, GAO reviewed compliance with deadlines in the Superfund Amendments and Reauthorization Act of 1986 (SARA), specifically to: (1) catalog the SARA deadlines from the date of enactment through December 31, 1991; and (2) determine compliance with deadlines through March 31, 1989.

Findings/Conclusions: GAO found that: (1) the Environmental Protection Agency (EPA) is responsible for 78 of the 150 SARA deadlines, while 19 other federal agencies, all states, and many local community groups and private firms are responsible for the other 72 deadlines; (2) the entities responsible for compliance have met or will likely meet about half of the 87 deadlines occurring between enactment and March 31, 1989; (3) these entities missed 35 of 62 deadlines occurring by September 15, 1988, including 22 that they missed by over 6 months; (4) agency officials attributed delays to inadequate staffing and funding; (5) EPA did not have a formal internal control system to ensure that it met its deadlines; (6) although the EPA Office of Legislative Analysis (OLA) established a central data base containing the status of its deadlines, the data base provided neither reasons for missed deadlines nor periodic compliance reports to the EPA Administrator; and (7) EPA established a task force to focus attention on federal facilities needing Superfund cleanup. Recommendation To Agencies: To promote timely implementation of future requirements in SARA, the Administrator, EPA, should direct: (1) managers to include information on the reasons why SARA deadlines were missed or are expected to be missed as part of updates to the deadlines data base recently established by OLA; and (2) OLA to report regularly to the Administrator on the status of compliance with the SARA deadlines and that this information be included in the EPA annual reports to Congress.

#### 137809

Water Resources: Corps of Engineers' Transfer of Three Townsites. RCED-89-42; B-230106. December 29, 1988. Released January 30, 1989. 4 pp. plus 7 appendices (25 pp.). Report to Sen. Quentin N. Burdick, Chairman, Senate Committee on Environment and Public Works; by James Duffus, III, Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Other Issue Area Work (6991); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Water Resources (301.0).

**Organization Concerned:** Department of the Army: Corps of Engineers: Omaha District, NE.

Congressional Relevance; Senate
Committee on Environment and Public
Works; Sen. Quentin N. Burdick.
Authority: Claims Liability Act
(Government) (28 U.S.C. 1491). Tort
Claims Act (28 U.S.C. 2671 et seq.).
Department of Education Organization
Act (P.L. 96-88). Water Resources
Development Act of 1986 (P.L. 99-662).
Public Works Administration Act. Flood
Control Act. Supplemental
Appropriation Act, 1985 (P.L. 99-88). P.L.
100-202. P.L. 81-815.

Abstract: Pursuant to a congressional request, GAO provided information on the Army Corps of Engineers' transfers to municipal ownership of three townsites it constructed while working on two dam projects, focusing on whether the Army: (1) properly maintained the townsites' public facilities prior to the transfer; (2) was responsible for maintenance of a school at one of the townsites; and (3) was liable for repairing the townsites' public facilities or the school.

Findings/Conclusions: GAO found that the Army: (1) transferred the Fort Peck, Montana, Riverdale, North Dakota, and Pickstown, South Dakota, townsites to municipal ownership in July and August 1986; (2) consistently provided financial support for upkeep of the townsites' public facilities, with annual expenditures averaging \$1.5 million for the last 5 years before the transfers; (3) had spent about \$8.7 million since fiscal year 1981 to rehabilitate and improve the townsites' road, water, electrical, and sewer systems; (4) constructed the original Riverdale school building and permitted the area school district to use and occupy the school with responsibility for facility operation, maintenance, and repair; and (5) was not responsible for about \$1 million in repairs that the school needed to comply with federal, state, and local standards, since it made

no representations as to the school's condition when it transferred ownership.

# 137838

[The Environmental Protection Agency's Use of Consultants]. T-GGD-89-5. February 3, 1989. 16 pp. plus 2 appendices (2 pp.). Testimony before the Senate Committee on Governmental Affairs: Federal Services, Post Office and Civil Service Subcommittee; by Bernard L. Ungar, Director, Federal Human Resource Management Issues, General Government Division. Refer to RCED-88-182, July 29, 1988 Accession Number 136756; CED-82-36, March 9, 1982, Accession Number 118044; T-GGD-88-39, June 13, 1988, Accession Number 136040; GGD-88-99FS, June 23, 1988, Accession Number 136296; and T-RCED-89-8, February 23, 1989, Accession Number 138006.

Contact: General Government Division.
Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: Senate
Committee on Governmental Affairs:
Federal Services, Post Office and Civil
Service Subcommittee.

Authority: OMB Circular A-76. OMB Circular A-120. 31 U.S.C. 1114. Abstract: GAO discussed the Environmental Protection Agency's (EPA) use of consulting services contracts to accomplish its mission. GAO noted that EPA: (1) heavily depended on contractors, with contracts accounting for about one-third of its total fiscal year (FY) 1989 budget estimates; (2) used more consulting services contracts for its Superfund program than for any other program; (3) reported using \$2.4 million for consulting services contracts in FY 1987, although it had over \$168 million in consulting services contract obligations for FY 1987; (4) ranked second highest among all federal agencies in the number of its consultant appointments; (5) underreported its use of consulting services contracts, due to its limited definition of consulting services, varying or narrow interpretations of that definition, and reporting system limitations involving contract costs, extent of services, and consultant appointments; (6) did not adhere to Office of Management and Budget guidelines in classifying consultant services contracts; and (7) submitted statutorily required evaluations of its progress in establishing effective management

controls over consulting services and for

improving the accuracy of reported

information, but only reviewed contracts identified as consulting services contracts.

#### 137884

[Dealing With Enormous Problems in the Nuclear Weapons Complex]. T-RCED-89-6. February 8, 1989. 18 pp. plus 1 appendix (1 pp.). Testimony before the House Committee on Budget; by Charles A. Bowsher, Comptroller General. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310; RCED-88-137, July 8, 1988, Accession Number 136307; and T-RCED-90-33, March 2, 1990, Accession Number 140822.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Budget...

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). P.L. 100-456.

Abstract: GAO discussed actions the Department of Energy (DOE) should take to clean up and modernize its nuclear weapons complex. GAO found that DOE: (1) needs to address the cleanup and decontamination of its existing facilities as they are retired from service; (2) needs to clearly define the environmental cleanup problems to be resolved; (3) should prioritize the sites that require immediate cleanup; (4) needs to account for the types of technology and procedures to be used; (5) needs to hire a quality technical work force to manage and accomplish cleanup operations; (6) needs to establish an independent organization to oversee its internal safety program; (7) should implement its safety policy and standards at its existing facilities and in the design of new facilities; and (8) should develop a spending plan to ensure effective use of available funds.

# 137921

Financial Audit: Examination of EPA's Financial Statements for Fiscal Year 1987. AFMD-89-24; B-216351. February 9, 1989. 34 pp. Report to Congress; by Charles A. Bowsher, Comptroller General. Refer to AFMD-90-20, March 16, 1990, Accession Number 140880.

Issue Area: Financial Statement Audits of Government Entities: Conformity of Federal Government's Consolidated Financial Statements With New GAO Requirements (7501).

Contact: Accounting and Financial Management Division.

Budget Function: Financial Management and Information Systems: Regulatory Accounting Rules and Financial Reporting (998.6).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Energy and Commerce: Health and the Environment Subcommittee; House Committee on Small Business: Energy and Environment Subcommittee; House Committee on Science and Technology: Natural Resources, Agriculture Research and Environment Subcommittee; Senate Committee on Environment and Public Works: Superfund and Environmental Oversight Subcommittee; Senate Committee on Environment and Public Works: Environmental Protection Subcommittee: Senate Committee on Appropriations: Housing and Urban Development, Space, Science and Veterans Subcommittee; Congress. Authority: Federal Managers' Financial Integrity Act of 1982. Accounting and Auditing Act. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Superfund

Amendments and Reauthorization Act of

1986.

Abstract: GAO examined the Environmental Protection Agency's (EPA) consolidated financial statements for the year ended September 30, 1987, and the related consolidated statements of revenues and expenses and of changes in financial position and reconciliation to budget for the year then ended. Findings/Conclusions: GAO found that EPA: (1) did not routinely reconcile its general ledger balances to external sources or subsidiary records; (2) used property management systems and records which lacked the necessary information for proper accounting, reconciliation, and internal controls; (3) did not include the material weakness in its internal control system over property in its 1987 Federal Managers' Financial Integrity Act (FMFIA) report; and (4) recorded inaccurate cost and property data in Superfund property records and did not properly maintain records. GAO also found that: (1) it could not determine whether EPA properly recorded assets, liabilities, equity, revenues, and expenses at the beginning of fiscal year (FY) 1987, since that was the first year EPA began preparing consolidated statements in accordance with generally accepted accounting principles; (2) it could not perform auditing procedures necessary to determine the aggregate net book value of land, buildings, and equipment, due to numerous property accounting problems; and (3) except as noted, the financial statements presented fairly the EPA financial position as of September 30, 1987.

Recommendation To Agencies: To ensure that all agency assets and liabilities are properly accounted for and reported, the Administrator, EPA, should direct agency staff to regularly reconcile general ledger balances with available subsidiary records, program office records, and external sources, and promptly investigate and resolve any discrepancies. To ensure that all agency assets and liabilities are properly accounted for and reported, the Administrator, EPA, should direct agency staff to ensure that the accounting system provides accurate and reliable financial and management records needed to account for and control property assets. To ensure that all agency assets and liabilities are properly accounted for and reported, the Administrator, EPA, should direct agency staff to address all propertyrelated findings and recommendations reported by the Superfund auditor in its FY 1987 audit report dated September 21, 1988. To ensure that all agency assets and liabilities are properly accounted for and reported, the Administrator, EPA, should direct agency staff to report the property and reconciliation internal control problems, if applicable, in the agency's FY 1988 FMFIA report.

## 137931

Surface Mining: Interior's Response to Abandoned Mine Emergencies. RCED-89-74; B-226046. January 31, 1989.

Released February 14, 1989. 10 pp. plus 2 appendices (3 pp.). Report to Sen. Jim Sasser, Chairman, Senate Committee on Governmental Affairs: Government Efficiency, Federalism, and the District of Columbia Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources
Management: Assessing the
Effectiveness of Federal and State
Efforts in Implementing the Regulatory
and Reclamation Requirements of the
Surface Mining Control and Reclamation
Act of .

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0). Organization Concerned: Department of the Interior; Department of the Interior: Office of Surface Mining Reclamation and Enforcement.

Congressional Relevance: House
Committee on Appropriations:
Department of the Interior and Related
Agencies Subcommittee; House
Committee on Interior and Insular
Affairs; Senate Committee on
Appropriations: Interior and Related
Agencies Subcommittee; Senate
Committee on Energy and Natural
Resources; Senate Committee on
Governmental Affairs: Government
Efficiency, Federalism, and the District
of Columbia Subcommittee; Sen. Jim
Sasser

Authority: Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.). 30 C.F.R. 870.5.

Abstract: In response to a congressional request, GAO reviewed the Office of Surface Mining Reclamation and Enforcement's (OSMRE) report to a congressional subcommittee on its handling of requests for emergency reclamation of abandoned mine land sites, focusing on: (1) the accuracy and completeness of the OSMRE report; (2) how long it took OSMRE to process emergency complaints; and (3) whether OSMRE-approved emergency projects met the established criteria.

Findings/Conclusions: GAO examined OSMRE case files for Ohio, Kentucky, and Tennessee, and found that: (1) the OSMRE report was inaccurate and did not include all emergency complaints it received from 1983 through 1987; (2) it could not verify about 77 percent of the OSMRE case files it sampled: (3) although OSMRE had not established criteria to judge the timeliness of its response to emergency complaints, its inspectors visited mine sites within 48 hours after receipt of an emergency complaint 64 percent of the time; (4) it took OSMRE an average of 97 days from the time it investigated an emergency complaint to either award a construction contract or deny the complaint; and (5) none of the 57 emergency project files it reviewed included sufficient documentation to determine whether OSMRE-approved projects met all

Recommendation To Agencies: The Secretary of the Interior should require the Director, OSMRE, to: (1) develop written instructions and guidance as to how case files should be structured, including criteria as to what minimum documentation is required; (2) periodically review complaint case files to ensure that all required information is included; and (3) establish a process to periodically review the status of

established criteria.

emergency projects to ensure that timely corrective action is being taken commensurate with the urgency associated with the emergency.

## 137988

Environmental Protection: Bibliography of GAO Documents, January 1985 - August 1988. RCED-89-23. 1989. 254 pp. Report to by Hugh J. Wessinger, Director, Environmental Programs Issues, Resources, Community, and Economic Development Division.

Issue Area: Environmental Protection (6800).

Contact: Resources, Community, and Economic Development Division.

Abstract: This bibliography includes information on documents directly or indirectly related to environmental protection that GAO released between January 1985 and August 1988. The documents included represent the broad relationship which exists between the environmental area and other areas of interest addressed by GAO such as health, energy, transportation, agriculture, and natural resources.

# 137989

**Endangered Species: Spotted Owl Petition Evaluation Beset by** Problems. RCED-89-79; B-226076.2. February 21, 1989. 13 pp. plus 4 appendices (7 pp.). Report to Rep. Gerry E. Studds, Chairman, House Committee on Merchant Marine and Fisheries: Fisheries, Wildlife Conservation and the Environment Subcommittee; by James Duffus, III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division. Refer to GGD-90-43, January 23, 1990, Accession Number 140596.

Issue Area: Natural Resources Management: Effectiveness of Federal Programs and Policies Aimed at Protecting the Natural Environment (6921).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: United States Fish and Wildlife Service; GreenWorld. Congressional Relevance: House Committee on Merchant Marine and Fisheries: Oceanography Subcommittee; House Committee on Merchant Marine and Fisheries: Fisheries, Wildlife

Conservation and the Environment Subcommittee; *Rep.* Gerry E. Studds. Authority: Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.). 49 Fed. Reg. 38900. Forest Management Act (16 U.S.C. 1604). Endangered Species Act Amendments of 1982.

Abstract: In response to a congressional request, GAO reviewed the U.S. Fish and Wildlife Service's (FWS) decision to deny a petition to list the northern spotted owl as an endangered species. Findings/Conclusions: GAO found that FWS: (1) delayed its decision about whether to conduct a study; (2) did not allow adequate time for a study team to conduct a thorough investigation: (3) extensively rewrote the draft report to support denial of the listing petition, even though the study team concluded that the owl was probably endangered: (4) considered factors unrelated to the owl's biological condition, inconsistently with the relevant statute; and (5) did not thoroughly document the petition process. GAO also found that FWS: (1) considered the Endangered Species Act cumbersome to implement; (2) believed that interested parties would delay owl protection initiatives and initiate costly legal actions; and (3) believed that cooperative agreements with other federal agencies would enable some protective efforts at less cost to the government.

# 138006

[Sound Contract Management Needed at the Environmental Protection Agency]. T-RCED-89-8. February 23, 1989. 12 pp. plus 4 attachments (4 pp.), Testimony before the House Committee on Post Office and Civil Service: Civil Service Subcommittee: by Richard L. Hembra, Associate Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to CED-82-36, March 9, 1982 Accession Number 118044; RCED-85-12, January 4, 1985, Accession Number 126028; RCED-88-182, July 29, 1988, Accession Number 136756; T-GGD-89-5, February 3, 1989, Accession Number 137838; and RCED-87-68FS, January 12, 1987, Accession Number 132154.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned:
Environmental Protection Agency.

Congressional Relevance: House
Committee on Post Office and Civil
Service: Civil Service Subcommittee.

Authority: Superfund Amendments and Reauthorization Act of 1986. Federal Managers' Financial Integrity Act of 1982

Abstract: GAO discussed its review of the Environmental Protection Agency's (EPA) contracting activities. GAO noted that EPA: (1) heavily relied on contractor support to accomplish its mission, with contract obligations exceeding \$1 billion, about one-third of its total budget; (2) spent the most contract dollars on its Superfund program, with estimated obligations at \$655 million; (3) increased its contracting budget and management staff, but decreased its number of contracts; (4) established its Alternative Remedial Contract Strategy to increase competition, expedite awards, and decentralize Superfund contract oversight responsibility to contracting personnel in regional offices; (5) consistently experienced such contracting problems as noncompetitive subcontract awards, inadequate government cost estimates, lack of sound contract management controls, cost overruns, rewards for inadequate contractor performance, heavy reliance on cost-plus-fee contracts, improper solesource awards, and underreporting of its use of consultant contracts; and (6) has taken some steps to correct these weaknesses, although continued emphasis on contract completion at the expense of sound contract management could continue to result in contracting problems.

# 138007

[Enormous Modernization and Cleanup Problems in the Nuclear Weapons Complex]. T-RCED-89-11. February 23, 1989. 21 pp. plus 2 attachments (2 pp.). Testimony before the House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; by Charles A. Bowsher, Comptroller General, Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310; and RCED-88-137, July 8, 1988, Accession Number 136307.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; Congress.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). P.L. 100-456. H.R. 765 (101st Cong.).

Abstract: GAO discussed the Department of Energy's (DOE) modernization and cleanup plans for its nuclear weapons complex. GAO noted that: (1) the weapons complex posed serious threats to public health and safety, due to its handling of hazardous materials, aging and obsolete facilities, inactive waste sites, and groundwater and soil contamination; (2) estimates of the cost to modernize and clean up the weapons complex ranged as high as \$155 billion; (3) the DOE closing of several key nuclear operations due to significant safety and health problems seriously affected the nation's ability to produce nuclear weapons; and (4) DOE did not adequately address priorities for cleanup and modernization efforts covered in its fiscal year 1990 budget request. GAO also noted that the 2010 Modernization Plan DOE submitted for facility upgrade and cleanup: (1) did not adequately address the cleanup and decontamination of existing facilities; (2) placed modernization on a faster track than environmental cleanup; and (3) did not address management changes necessary to acquire the necessary technical expertise, provide strong safety oversight, and establish modernization management policies. GAO believes that: (1) proposed legislation to establish a national commission to review environmental contamination data, the DOE management structure, and technological capabilities could assist DOE in its long-range planning efforts; and (2) DOE can assist Congress in its future deliberations by periodically updating the modernization plan.

### 138023

Inland Oil Spills: Stronger Regulation and Enforcement Needed to Avoid Future Incidents. RCED-89-65; B-232923. February 22, 1989.

Released February 27, 1989. 33 pp. plus 1 appendix (1 pp.). Report to Sen. Arlen Specter; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to OP-2-HP, January 1990, Accession Number 140415.

Issue Area: Environmental Protection: Assessing Effectiveness and Efficiency of the Use of Superfund Resources (6813). Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Merchant Marine and Fisheries; Senate Committee on Commerce, Science and Transportation; Congress; Sen. Arlen Specter.

Authority: Clean Water Act of 1977. Occupational Safety and Health Act of 1970. Federal Managers' Financial Integrity Act of 1982.

**Abstract:** Pursuant to a congressional request, GAO assessed the adequacy of federal regulation of above-ground oil storage tanks and the federal inland oil spill removal program.

Findings/Conclusions: GAO found that the Environmental Protection Agency's (EPA) regulations did not require oil storage facility operators to: (1) construct and test tanks using industry standards; (2) prepare responses to accidental discharges of oil onto adjacent property; or (3) design and operate storm water drainage systems to prevent oil spills. GAO also found that: (1) EPA did not have information regarding the number, age, and location of oil storage facilities and the construction and operation of tanks; (2) the EPA inspection program did not prioritize inspections according to the threat posed to the environment, and inspections were sometimes superficial and poorly documented; (3) despite numerous oil spills and other violations, 7 of the 10 EPA regions have not levied fines; (4) EPA eliminated its spill response research program in 1987 because of budget constraints; and (5) EPA did not recover the costs of monitoring cleanups conducted by private parties, even though such costs were often substantial.

may wish to amend the Clean Water Act to explicitly authorize the federal government to recover the costs of monitoring oil spill cleanups performed by private responsible parties. Recommendation To Agencies: To improve the likelihood that aboveground oil storage tanks are built to industry standards and decrease the chances of future damaging oil spills, the Administrator, EPA, should amend the oil pollution prevention regulations to require that: (1) above-ground oil storage tanks be built and tested in accordance with industry or other specified standards; (2) facilities plan how to react to a spill that overflows the facility boundaries; and (3) storm water drainage systems be designed and operated to prevent oil from escaping through them. To better ensure the safety of the nation's above-ground oil storage facilities and decrease the chances of oil being discharged into the environment, the Administrator, EPA, should

Recommendation To Congress: Congress

strengthen the EPA above-ground oil storage facility inspection program by: (1) developing, in coordination with state and local authorities, a system of inspection priorities, based on a national inventory of tanks; (2) developing instructions for performing and documenting inspections; (3) defining and implementing minimum training needs for inspectors; and (4) establishing a national policy for fining violators. To better ensure the safety of the nation's above-ground oil storage facilities and decrease the chances of oil being discharged into the environment, the Administrator, EPA, should determine the advantages and disadvantages of supplementing EPA inspection resources by: (1) using state and local inspection resources; and (2) requiring that facilities obtain certification from independent engineers that facilities are in compliance with regulations. With the goal of improving responses to future oil spills, the Administrator, EPA, should determine whether to reestablish the oil spill research and development program, taking into account anticipated benefits, costs, and program priorities.

#### 138026

[GAO's Views on Modernizing and Cleaning Up DOE's Nuclear Weapons Complex]. T-RCED-89-9. February 21, 1989. 18 pp. plus 2 attachments (2 pp.). Testimony before the House Committee on Armed Services: Procurement and Military Nuclear Systems Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-90-101, March 28, 1990, Accession Number 141153; and RCED-90-125, April 20, 1990, Accession Number 141399.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Armed Services: Procurement and Military Nuclear Systems Subcommittee.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). P.L. 100-456.

Abstract: GAO discussed the Department of Energy's (DOE) modernization and cleanup plans for its nuclear weapons complex. GAO noted that: (1) the weapons complex posed serious threats to public health and safety, due to its handling of hazardous materials, aging and obsolete facilities, inactive waste sites, and groundwater

and soil contamination; (2) estimates of the cost to modernize and clean up the weapons complex ranged as high as \$155 billion; (3) the DOE closing of several key nuclear operations, due to significant safety and health problems. seriously affected the nation's ability to produce nuclear weapons; and (4) DOE did not adequately address priorities for cleanup and modernization efforts covered in its fiscal year 1990 budget request. GAO also noted that the 2010 Modernization Plan DOE submitted for facility upgrade and cleanup: (1) did not adequately address the cleanup and decontamination of existing facilities; (2) placed modernization on a faster track than environmental cleanup; and (3) did not address management changes necessary to acquire the necessary technical expertise, provide strong safety oversight, and establish modernization management policies. GAO believes that DOE can assist Congress in its future deliberations by periodically updating the modernization plan.

#### 138031

[Modernizing and Cleaning Up DOE's Nuclear Weapons Complex]. T-RCED-89-10. February 22, 1989. 19 pp. plus 2 attachments (2 pp.). Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, June 6, 1988, Accession Number 136310; RCED-88-137, July 8, 1988, Accession Number 136307; and RCED-90-104, April 12, 1990, Accession Number 141525.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: *House* Committee on Energy and Commerce: Energy and Power Subcommittee; Congress.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). P.L. 100-456.

Abstract: GAO discussed its views on the Department of Energy's (DOE) cleanup and modernization of its nuclear weapons complex. GAO noted that DOE needs to: (1) include in its current modernization efforts, adequate plans for environmental cleanup and decontamination of existing facilities; (2) determine the extent of environmental cleanups or which sites should receive priority; (3) include in its projected estimate, the true cost for new facility

construction, potential cost overruns, and the cost of building new production reactors, including implementing new technologies; (4) hire technical experts, provide safety oversight, and apply its new policies and procedures to the design and construction of new facilities: (5) develop a spending plan, periodically update the plan to ensure effective use of funds, and keep Congress abreast of its overall direction, priorities, and progress; and (6) provide information on its future budget needs to allow Congress to make more informed decisions on how best to address cleanup and decontamination problems.

## 138032

**Nuclear Waste: Quarterly Report as** of December 31, 1988. RCED-89-87; B-202377. February 27, 1989. 4 pp. plus 3 appendices (10 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-204BR, August 29, 1988, Accession Number 136683; RCED-89-22FS, November 22, 1988, Accession Number 137374; RCED-88-163BR, August 29, 1988, Accession Number 135846; and RCED-88-159, September 29, 1988, Accession Number 137175.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Nuclear Regulatory Commission.

Congressional Relevance: Senate
Committee on Energy and Natural
Resources; Senate Committee on Energy
and Natural Resources; Sen. James A.
McClure; Sen. J. Bennett Johnston.
Authority: Nuclear Waste Policy Act of
1982. 10 C.F.R. 60. P.L. 100-203. Nuclear
Waste Policy Amendments Act of 1987.
Abstract: In response to a congressional
request, GAO presented its quarterly
report on the Department of Energy's
(DOE) implementation of the Nuclear
Waste Policy Act of 1982.

Findings/Conclusions: GAO found that: (1) DOE has completed a site

characterization plan for the Yucca Mountain repository site and is in the process of obtaining public comments on the plan; (2) DOE delayed exploratory shaft construction for 5 months to reevaluate its completed design work and to ensure that its site characterization plan conformed with regulatory requirements; (3) the current DOE schedule for developing, implementing, and demonstrating the adequacy of its quality assurance program is slipping and could further delay construction work; and (4) if the Nuclear Regulatory Commission found the site characterization plan inadequate, DOE would have to request additional time to resolve the deficiencies, which would result in further construction delays.

# 138049

Forest Service: Information on the Forest Service Appeals System. RCED-89-16BR; B-233613. February 16, 1989.

Released March 2, 1989. 29 pp. plus 1 appendix (1 pp.). Briefing Report to Sen. Max S. Baucus; by John Harman, Director, Food and Agriculture Issues, Resources, Community, and Economic Development Division. Refer to T-RCED-89-43, May 18, 1989, Accession Number 138683.

Issue Area: Food and Agriculture: Satisfying U.S. Rural Development and Rural Infrastructure Objectives (6511). Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Forest Service. Congressional Relevance: Sen. Max S. Baucus.

Authority: Forest Management Act. 36 C.F.R. 211.18.

Abstract: In response to a congressional request, GAO provided information on the Forest Service's timber sales and forest plan appeals system, focusing on: (1) appeals frequency and processing times, and the appeals backlog; (2) the reasons for increases in the number of appeals; (3) whether appeals delayed timber sales in two regions; and (4) whether proposed regulatory changes to the appeals system might expedite appeals processing time.

Findings/Conclusions: GAO found that: (1) the number of Forest Service appeals filed annually nearly doubled in 5 years, increasing from 584 in 1983 to 1,298 in 1988; (2) the average appeals processing time increased from 201 days in fiscal year (FY) 1986 to 363 days in 1988; (3)

the nationwide backlog of unresolved appeals grew from 64 in 1983 to 830 in FY 1988; (4) the Service's inability to resolve complex environmental issues hampered its efforts to eliminate the backlog; (5) from FY 1986 through FY 1987, about 6 percent of timber sales volumes in the two regions was appealed, 1 percent was delayed, and timber sales experienced no delays as a result of forest plan appeals; and (6) the Service's proposed regulatory changes to the appeals system might reduce the number of appeals and the average appeal processing time.

#### 138070

Nuclear Waste: DOE's Method for Assigning Defense Waste Disposal Costs Complies With NWPA. RCED-89-2; B-202377. February 2, 1989. Released March 6, 1989. 20 pp. plus 4 appendices (9 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

**Organization Concerned:** Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp.

Authority: Nuclear Waste Policy Act of 1982 (P.L. 97-425). P.L. 100-203. Federal Managers' Financial Integrity Act of 1982 (31 U.S.C. 3512).

Abstract: In response to a congressional request, GAO assessed whether the Department of Energy's (DOE) method of allocating nuclear waste program costs between commercial and defense nuclear waste generators complied with Nuclear Waste Policy Act (NWPA) requirements. Findings/Conclusions: GAO found that: (1) the DOE method of allocating repository costs between commercial and defense generators complied with NWPA requirements for full cost recovery and equivalency; (2) the method ensured that DOE would bear the defense waste share of the costs and neither commercial generators nor DOE would subsidize the other over the life of the program; (3) DOE allocated the assigned costs on the basis of cost-sharing factors, and the

unassigned costs in proportion to the respective share of the assignable costs; (4) utilities and states agreed with the allocation of assigned costs, but disagreed with the allocation of common unassigned costs, since commingling the wastes would avoid the need for a specific defense waste repository; and (5) DOE believed that the arbitrary allocation of hypothetical costs for a separate defense waste repository, rather than allocating costs on the basis of actual waste program costs, was not appropriate.

#### 138088

Nuclear Waste: Termination of Activities at Two Sites Proceeding in an Orderly Manner. RCED-89-66; B-211412. February 6, 1989.

Released March 8, 1989. 6 pp. plus 4 appendices (9 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Senior Associate Director, Resources, Community, and Economic Development Division. Refer to RCED-90-59, December 12, 1989, Accession Number 140185.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy (270.0).

**Organization Concerned:** Department of Energy.

Congressional Relevance: *House* Committee on Energy and Commerce: Energy and Power Subcommittee; *Rep.* Philip R. Sharp.

Authority: Nuclear Waste Policy Act of 1982. P.L. 100-203.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) efforts to terminate nuclear waste repository program activities at the Basalt Waste Isolation Project in Washington and at the Salt Repository Project in Texas, focusing on: (1) DOE compliance with a legislative directive to cease site-specific activities by March 21, 1988; (2) the extent to which DOE continued such activities for general research purposes; and (3) termination costs.

Findings/Conclusions: GAO found that:
(1) DOE termination efforts were consistent with the Nuclear Waste Policy Act; (2) DOE terminated site-specific activities within the allowable time period, except for the operation of a seismic network at the Basalt Project that provided information to other DOE

programs; (3) it had no basis to conclude that DOE continued site-specific activities as general research; and (4) DOE estimated total termination costs for the two sites at \$116 million, or about \$25 million less than its original estimate.

# 138089

**Hazardous Waste: DOD Efforts to** Reduce Waste. NSIAD-89-35; B-213706. February 7, 1989. Released March 8, 1989. 29 pp. plus 7 appendices (10 pp.). Report to Rep. Vic Fazio, Chairman, House Committee on Appropriations: Legislative Subcommittee; Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, **Energy and Natural Resources** Subcommittee; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs Division. Refer to RCED-88-115, July 19, 1988, Accession Number 136383; and NSIAD-90-11, November 6, 1989, Accession Number 140249.

Issue Area: Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811); Air Force: Other Issue Area Work (5491).

Contact: National Security and International Affairs Division.

Budget Function: National Defense:
Defense-Related Activities (054.0).

Organization Concerned: Department of Defense; Department of the Air Force;
Department of the Navy; Department of the Army.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; House Committee on Appropriations: Legislative Subcommittee; Rep. Michael L. Synar; Rep. Vic Fazio. Authority: Resource Conservation and

Recovery Act of 1976. Hazardous and Solid Waste Amendments of 1984. A.F.R. 19-11. A.R. 200-1.

Abstract: In response to a congressional request, GAO reviewed the Department of Defense's (DOD) and the services' efforts to minimize their generation of hazardous waste by: (1) changing production, repair, and maintenance processes; (2) substituting less hazardous materials; and (3) changing technical documents to allow substitution. Findings/Conclusions: GAO found that: (1) through the services, DOD made progress in meeting the required elements of its hazardous waste minimization program by establishing goals, setting time frames, developing

plans to accomplish the goals, and making organizational changes; (2) although the services began to implement waste minimization programs, the degree of implementation varied; (3) the Air Force delegated review of technical documents for all systems and equipment to identify opportunities for material substitution, but only one air logistics center had an approved review plan; (4) neither the Army nor the Navy had technical document review requirements; (5) the services had not formally integrated required hazardous waste minimization considerations into their acquisition programs; and (6) the services plan to reduce their hazardous waste generation levels by 50 percent by 1992, but will have difficulty monitoring their progress due to unreliable data collection and reporting.

Recommendation To Agencies: To provide the services with accurate, consistent, and comparable hazardous waste generation data for monitoring minimization efforts and progress toward meeting waste reduction goals, the Secretary of Defense should establish a standard methodology for collecting and reporting hazardous waste generation data within DOD, which should include data on significant changes in production.

## 138090

Stratospheric Ozone: EPA's Safety Assessment of Substitutes for Ozone-Depleting Chemicals. RCED-89-49; B-232917. February 13, 1989. Released March 8, 1989. 59 pp. plus 3 appendices (7 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-84-84, June 15, 1984, Accession Number 124629; T-RCED-89-28, April 18, 1989, Accession Number 138433; T-RCED-89-41, May 15, 1989, Accession Number 138606; and T-RCED-89-45, May 19, 1989, Accession Number 138754.

Issue Area: Environmental Protection: Other Issue Area Work (6891).
Contact: Resources, Community, and Economic Development Division.
Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Appropriations: HUD-Independent Agencies Subcommittee; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Senate Committee on Environment and Public Works; Senate Committee on Appropriations: HUD-Independent Agencies Subcommittee; Rep. John D. Dingell.

Authority: Clean Air Act Amendments of 1977. Clean Air Act. 45 Fed. Reg. 66726. 53 Fed. Reg. 30566. 40 C.F.R. 716.8. 51 Fed. Reg. 1257. Toxic Substances Control Act. Resource Conservation and Recovery Act of 1976. Appliance Energy Conservation Act (National).

Abstract: In response to a congressional request, GAO reviewed the Environmental Protection Agency's (EPA) efforts to: (1) assess the safety of chemical substitutes for ozone-depleting chlorofluorocarbons (CFC) and halons; and (2) investigate other measures designed to reduce dependence on ozone-depleting chemicals.

Findings/Conclusions: GAO found that: (1) impending CFC and halon regulations prompted chemical producers to accelerate testing and development of safe chemical substitutes: (2) although chemical producers tested potential substitutes, EPA had statutory responsibilities under the Toxic Substances Control Act (TSCA) to ensure that CFC and halon substitutes did not present unreasonable risks to human health and the environment; (3) EPA developed an approach for assessing substitutes and urged producers to voluntarily provide information on their ongoing testing and test rationale; (4) EPA attempts to obtain testing data on potential substitutes resulted in incomplete data, since EPA did not require producers to submit their studies; (5) most of the potential substitutes identified could be produced by anyone, in any amount, and for any use without prior authority, since EPA did not require that producers report the significant new uses of existing chemicals intended as substitutes for CFC and halon; (6) EPA intended to deal with integrating ozone-depletion concerns and traditional toxicity concerns on a case-by-case basis; and (7) EPA sponsored nine projects under its Clean Air Act mandate relating to CFC and halon conservation and recycling and non-CFC manufacturing processes, but the extent of its success in reducing use of the chemicals was uncertain because the projects were in the initial steps in the conservation project. Recommendation To Agencies: To help ensure that EPA has access to unpublished health and safety studies on potential substitutes and is informed

about intended new uses of existing

chemicals as CFC and halon substitutes, the Administrator, EPA, should use his authority under TSCA section 8(d) to require chemical producers to submit for EPA review their unpublished health and safety studies on chemicals identified by EPA and industry as actual or likely potential substitutes for CFC and halons. EPA should review this data as part of its assessment for the safety of these chemical substitutes to form a basis for requiring additional testing or controls, if needed. To help ensure that EPA has access to unpublished health and safety studies on potential substitutes and is informed about intended new uses of existing chemicals as CFC and halon substitutes, the Administrator, EPA, should use his authority under TSCA section 5(a)(2) to promulgate significant-new-use rules on alternative flourocarbons and other chemicals listed in the TSCA inventory of existing chemicals (or subsequently added to it) that are substitutes, or likely potential substitutes, for CFC and halons. This authority would require chemical producers to notify EPA before these chemicals are produced for significant new uses as CFC and halon substitutes and would enable EPA to review the safety of such uses and quickly control those that pose an unreasonable risk to human health and the environment.

## 138182

[Modernization and Cleanup Problems Are Enormous in the Nuclear Weapons Complex]. T-RCED-89-17. March 15, 1989. 15 pp. plus 2 attachments (2 pp.). Testimony before the Senate Committee on Budget; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Budget.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180).

Abstract: GAO discussed the Department of Energy's (DOE) modernization and cleanup plans for its nuclear weapons complex. GAO noted that: (1) the weapons complex posed serious threats to public health and safety, due to DOE handling of hazardous materials, aging and obsolete facilities, inactive waste sites, and

groundwater and soil contamination; (2) estimates of the cost to modernize and clean up the weapons complex ranged as high as \$155 billion; (3) the DOE closing of several key nuclear operations, due to significant safety and health problems, seriously affected the nation's ability to produce nuclear weapons; and (4) DOE did not adequately address priorities for cleanup and modernization efforts covered in its fiscal year 1990 budget request. GAO also noted that, although the DOE 2010 Modernization Plan represented an important first step toward facility upgrade and cleanup, the plan: (1) did not adequately address the cleanup and decontamination of existing facilities; and (2) placed modernization on a faster track than environmental cleanup. GAO believes that DOE can assist Congress in its future deliberations by periodically updating the modernization plan.

# 138211

Superfund Contracts: EPA's Procedures for Preventing Conflicts of Interest Need Strengthening. RCED-89-57; B-231219. February 17, 1989.

Released March 20, 1989. 34 pp. plus 1 appendix (1 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-1, October 26, 1987, Accession Number 134238; RCED-88-182, July 29, 1988, Accession Number 136756; T-RCED-89-48, June 15, 1989, Accession Number 138865; and RCED-89-160, September 26, 1989, Accession Number 139622.

Issue Area: Environmental Protection: Assessing Effectiveness and Efficiency of the Use of Superfund Resources (6813). Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

# **Organization Concerned:**

Environmental Protection Agency; Environmental Protection Agency: Procurement and Contract Management Division.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Senate Committee on Environment and Public Works: Superfund, Ocean and Water Protection Subcommittee; Rep. John D. Dingell. Authority: Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Superfund Amendments and Reauthorization Act of 1986. Federal Managers' Financial Integrity Act of 1982.

Abstract: In response to a congressional request, GAO reviewed the adequacy of the Environmental Protection Agency's (EPA) system for preventing conflicts of interest among its Superfund contractors.

Findings/Conclusions: GAO found that: (1) prior to 1988, EPA did little before contract award to determine whether its Superfund contractors had procedures to prevent conflicts of interest; (2) although EPA periodically reviewed its contractors' performance, the reviews did not routinely verify contractor compliance with EPA conflict-of-interest requirements; (3) EPA did not properly document conflict-of-interest cases, case resolutions, or actions on contractor private-party work requests in its contract files, as required; (4) EPA did not provide contractors with specific guidance for avoiding conflicts beyond its regulations and contract clauses; and (5) EPA contracting officers differed on the information they required contractors to include in their privateparty work requests, due to lack of formal guidelines and definitive criteria for evaluating contractor requests. Recommendation To Agencies: The Administrator, EPA, should strengthen the EPA conflict-of-interest system under Superfund by directing the Procurement and Contract Management Division (PCMD) to include steps to check compliance with EPA requirements for avoiding, mitigating, and neutralizing conflicts of interest as part of its reviews of contractors' performance. The Administrator, EPA, should strengthen the EPA conflict-ofinterest system under Superfund, by directing PCMD to direct contracting officers to follow requirements for documenting actions taken to resolve conflicts and actions taken on contractors' requests to work for private parties. The Administrator, EPA, should strengthen the EPA conflict-of-interest system under Superfund, by directing PCMD to provide contractors and contracting officers with additional written guidance for avoiding conflicts.

# 138215

[Environmental Problems at the Department of Energy's Nuclear Weapons Complex]. T-RCED-89-12. February 24, 1989. 13 pp. *Testimony* before the House Committee on Armed Services: Procurement and

Military Nuclear Systems Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Armed Services: Procurement and Military Nuclear Systems Subcommittee.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180). H.R. 765 (101st Cong.).

Abstract: GAO discussed the environmental issues facing the Department of Energy (DOE) in cleaning up its nuclear weapons complex. GAO found that: (1) DOE needed to clean up existing contamination in soil and groundwater and bring its facilities' operations into full compliance with environmental laws: (2) the estimated costs for cleaning up existing contamination would total between \$35 billion and \$65 billion; (3) DOE would need new technologies and specialized equipment and techniques to clean up some sites and protect workers involved in the cleanup; (4) some areas could be irreversibly contaminated and might require long-term institutional care; and (5) to bring DOE into full compliance would cost an additional \$3 billion to \$9 billion. In addition, GAO found that: (1) although a recent DOE modernization plan called for additional spending of \$81 billion over the next 21 years, it did not have a detailed plan for resolving environmental problems; (2) recently proposed legislation to establish a national commission on DOE environmental remediation activities could assist DOE in developing longrange plans; (3) \$1.1 billion of the \$9.4billion DOE budget request was to correct environmental problems and represented a 57-percent increase over 1989 funding levels; and (4) DOE was still studying the extent of contamination. GAO believes that establishment of a national commission on DOE environmental remediation activities would help clarify cleanup issues and help form a comprehensive approach to addressing DOE environmental problems.

### 138347

[Site Selection Process for the Department of Energy's Super Collider]. T-RCED-89-22. April 5, 1989. 9 pp. *Testimony* before the House Committee on Science, Space,

and Technology; by Flora H. Milans, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-18, January 30, 1989, Accession Number 137824.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy; National Academy of Sciences; National Academy of Engineering.

Congressional Relevance: *House* Committee on Science, Space, and Technology.

Abstract: GAO discussed its review of the Department of Energy's (DOE) site selection procedures for its superconducting super collider. GAO noted that: (1) the National Academy of Sciences appointed a site evaluation committee to select the best-qualified sites for the collider; (2) evaluators were geographically diverse and experienced in varied fields related to the DOE site selection criteria; (3) the committee selected seven sites based on DOE technical and cost criteria, focusing on geology, tunneling, and regional resources criteria; (4) the committee gave site costs minor consideration because of the narrow percentage range of cost estimates; and (5) officials from states whose proposed sites were not judged best qualified believed that the DOE solicitation could have provided more information about the relative importance of evaluation criteria. GAO also noted that the DOE task force for final site selection: (1) accepted the evaluation committee's list of bestqualified sites after a committee report and debriefing and DOE task force site visits: (2) primarily relied on stateprovided information it verified through its site visits and environmental impact statements; (3) determined that none of the public comments on draft impact statements sufficiently justified changing site ratings; and (4) followed DOE technical criteria for evaluating and rating the sites and generally provided evidence to support its ratings. although a few ratings lacked sufficient

#### 138371

documentation.

[Environmental Problems in the Nuclear Weapons Complex]. T-RCED-89-18. April 7, 1989. 12 pp. Testimony before the Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee.

Authority: Department of Defense Authorization Act, 1988 and 1989 (P.L. 100-180).

Abstract: GAO discussed the environmental problems facing the Department of Energy (DOE) in cleaning up its nuclear weapons complex. GAO found that: (1) DOE faced two overall systematic environmental problems, including cleaning up existing soil and groundwater contamination, and bringing its facilities into full compliance with environmental laws; (2) although DOE was studying the extent of the contamination to better characterize its environmental problems. it had not developed detailed plans for resolving those problems; (3) cleanup cost estimates ranged from \$35 billion to \$65 billion, and DOE would need an additional \$3 billion to \$9 billion to bring its operations into compliance; (4) DOE earmarked \$1.1 billion of its \$9.4-billion 1990 budget request for correcting its environmental problems, which represented a 57-percent increase over previous levels; (5) about 60 percent of the requested funds were for studies to assess the problems and develop longterm plans; and (6) DOE estimated that establishing standards pursuant to environmental laws would take 5 to 7 years and would require new and unique cleanup technologies. GAO believes that Congress should not appropriate large increases over the DOE 1990 request.

### 138384

[Change in Approach Needed to Improve the Bureau of Land Management's Oversight of Public Lands]. T-RCED-89-23. April 11, 1989. 7 pp. plus 1 attachment (1 pp.). Testimony before the House Committee on Interior and Insular Affairs: National Parks and Public Lands Subcommittee; by James Duffus, III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Bureau of Land Management.

Congressional Relevance: House Committee on Interior and Insular Affairs: National Parks and Public Lands Subcommittee. .

Authority: Grazing Act. Land Policy and Management Act. Public Rangelands Improvement Act of 1978.

Abstract: GAO discussed the Bureau of Land Management's (BLM) public lands management activities. GAO found that: (1) although the public lands BLM historically administered were viewed as wastelands, decades of overgrazing and unregulated mining activities continued to deteriorate already badly damaged lands; (2) although Congress enacted policies that required BLM to maintain lands' productive capacity, BLM often placed the needs of livestock permittees and mine operators above the long-term health of the resources; (3) 60 percent of grazing allotments were in less than satisfactory condition; (4) BLM managers often thwarted restoration efforts when ranchers with grazing permits opposed the efforts and did not penalize permittees responsible for heavy damage in designated riparian recovery areas; (5) BLM rarely required bonds for mining operations of fewer than 5 acres or reclamation of the lands: (6) cost estimates for reclaiming hard rock mine sites in 11 western states totalled about \$248 million; (7) BLM had not maintained wildlife habitats, protected endangered species, or equitably treated wild horses in devising approaches to reduce overgrazing; and (8) most BLM corrective actions resulted from congressional oversight or legal actions. GAO believes that BLM will have to abandon its historical administrative actions and make changes to: (1) reduce permitted levels of grazing on allotments where overstocking adversely affects the land; (2) enforce sanctions against permittees found guilty of trespassing or other abuses of their permits; and (3) require miners to post financial guarantees to ensure land reclamation.

# 138396

Fossil Fuels: Commercializing Clean Coal Technologies. RCED-89-80; B-230504. March 29, 1989. Released April 12, 1989. 34 pp. plus 5 appendices (6 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General. Resources, Community, and Economic Development Division. Refer to T-RCED-88-47, June 22, 1988, Accession Number 136148; T-RCED-89-25, April 13, 1989, Accession Number 138441; RCED-89-166FS, June 29, 1989, Accession Number 139001; T-RCED-90-3, October 18, 1989, Accession Number 139779; RCED-90-67,

March 19, 1990, Accession Number 140907; and T-RCED-90-56, March 28, 1990, Accession Number 140967.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressional Interest and Budgetary Constraints (6417).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy; Environmental Protection Agency.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee: House Committee on Energy and Commerce; House Committee on Energy and Commerce: Energy and Power Subcommittee; Senate Committee on Appropriations: Interior and Related Agencies Subcommittee: Senate Committee on Energy and Natural Resources; Rep. Philip R. Sharp. Authority: Clean Air Act. Energy Reorganization Act of 1974. Nonnuclear Energy Research and Development Act of 1974. Environmental Policy Act of 1969 (National). P.L. 98-473. P.L. 100-202. H.R. 4331 (100th Cong.). H.R. 2666 (100th

Abstract: In response to a congressional request, GAO reviewed the Department of Energy's (DOE) implementation of its Clean Coal Technology Program, focusing on: (1) the DOE process for negotiating cooperative agreements with project sponsors; (2) DOE changes to the project; (3) status of funded projects; and (4) interrelationships between acid rain control and commercialization of clean coal technologies.

Findings/Conclusions: GAO found that DOE: (1) timely signed only two of nine initial project agreements; (2) negotiated five projects later than expected and sponsors withdrew two projects, which DOE replaced with four alternative projects from a prepared list; (3) signed agreements for two replacement projects, terminated negotiations for one unfunded project, and selected three replacement projects for funding; (4) encountered difficulties with financing, business arrangements, and proprietary data; (5) completion of the project agreements was delayed by sponsors' attempts to renegotiate investment repayment requirements; and (6) changed its project requirements, including financial commitments for preliminary project design, reimbursement of preaward costs, repayment based on equipment sales revenues, and project review. GAO also

found that: (1) sponsors' dissatisfaction with the revised repayment requirements and DOE access to proprietary data could further delay implementation; (2) DOE extended some projects by up to 13 months, and expected other projects to slip; (3) DOE indicated that equipment delays and failures, financing problems, and permit delays created the schedule slippage; and (4) proposed acid rain control legislation could impact commercialization of clean coal technology, if the legislation allowed development of new technology while requiring short-term emissions controls through conventional technologies.

Recommendation To Agencies: The Secretary of Energy should work closely with the Administrator, Environmental Protection Agency (EPA), to ensure that the proposed legislation that is submitted for congressional consideration appropriately links compliance dates for emissions reductions with the expected commercial availability of emerging clean coal technologies.

#### 138433

[EPA's Safety Assessment of **Substitutes for Ozone-Depleting Chemicals and Legal Issues** Relating to CFC and Halon Production Rights]. T-RCED-89-28. April 18, 1989. 6 pp. plus 2 attachments (36 pp.). Testimony before the House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-49, February 13, 1989, Accession Number 138090.

Contact: Resources, Community, and Economic Development Division.
Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee.

Authority: Toxic Substances Control Act. Clean Air Act.

Abstract: GAO reviewed the Environmental Protection Agency's (EPA) safety assessment of substitutes for chlorofluorocarbons (CFC) and other ozone-depleting chemicals. GAO found that: (1) chemical producers were working to develop CFC substitutes and were testing the alternatives both individually and as part of two international joint testing programs; (2)

EPA has statutory responsibility to ensure that chemical substitutes do not pose unreasonable risks to humans and the environment; (3) in November 1988, EPA developed an approach for assessing the safety of new and existing chemicals as potential CFC substitutes, but did not use its authority to require producers to provide it with their unpublished health and safety studies; (4) EPA also did not use its authority to require producers to provide it with advance notification of intended significant new uses of existing chemicals as CFC substitutes, which would allow EPA to assess the safety of new uses and control potentially harmful chemicals; and (5) without prior notification requirements, anyone can produce most potential substitutes in any amount and for any use. GAO also found that EPA was considering economic measures to capture windfall profits that CFC production limits might create, but it was difficult to determine whether EPA had authority to use such measures before it made its proposal.

#### 138141

[Status of DOE-Funded Clean Coal Technology Projects]. T-RCED-89-25. April 13, 1989. 16 pp. plus 3 attachments (6 pp.). Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-80, March 29, 1989, Accession Number 138396; RCED-89-166FS, June 29, 1989, Accession Number 139001; T-RCED-90-3, October 18, 1989, Accession Number 139779; RCED-90-67, March 19, 1990, Accession Number 140907; and T-RCED-90-56, March 28, 1990, Accession Number 140967.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy; Environmental Protection Agency.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Congress.

Authority: Clean Air Act. P.L. 99-190. Abstract: GAO discussed the status of nine demonstration projects that the Department of Energy (DOE) has funded under its Clean Coal Technology Program. GAO found that: (1) seven of the projects were experiencing coordination, equipment, and financing problems that caused cost overruns, proposed project modifications, and

delays in completing project phases; (2) two other projects, funded in late 1988 to replace withdrawn project proposals. were on schedule and were not experiencing cost increases; (3) although sponsors of four projects have projected total cost increases of about \$70 million, each cooperative agreement states that DOE has no obligation to fund any cost increases, and DOE has not increased its total funding for any project as of March 15, 1989; and (4) it was too early to determine whether the project delays would affect the timing of the clean coal technologies' commercial availability and, therefore, the roles these technologies could play within the time frames for emissions reductions under any future acid rain control legislation.

#### 138489

Pesticides: Economic Research Service's Analyses of Proposed EPA Actions. RCED-89-75BR; B-233953. March 14, 1989.

Released April 27, 1989. 27 pp. plus 1 appendix (1 pp.). *Briefing Report* to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations
Subcommittee; by John Harman, Director, Food and Agriculture Issues, Resources, Community, and Economic Development Division.

Issue Area: Food and Agriculture: Other Issue Area Work (6591); Environmental Protection: Assessing How The Federal Pesticide Program Protects Public Health and the Environment From Unreasonable Risks (6806).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Agriculture: Agricultural Research and Services (352.0)

Organization Concerned: Department of Agriculture: Economic Research Service; Environmental Protection Agency.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Insecticide, Fungicide and Rodenticide Act (7 U.S.C. 136 et seq.). P.L. 92-73. P.L. 92-399. H. Rept. 92-289. Abstract: In response to a congressional

Abstract: In response to a congressional request, GAO reviewed the Economic Research Service's (ERS) activities during fiscal years 1985 through 1988, focusing on: (1) how ERS analyzed the Environmental Protection Agency's (EPA) pesticide regulatory proposals; (2) cost of ERS analyzing the EPA proposals and purposes for which ERS used the funds; (3) the number of proposals ERS

analyzed; and (4) the impact on EPA of ERS analysis and comments. Findings/Conclusions: GAO found that: (1) ERS conducted its pesticide analyses as part of the Department of Agriculture's (USDA) National Agricultural Pesticide Impact Assessment Program (NAPIAP); (2) ERS conducted independent studies on water quality, pesticides, and nonpesticide proposals affecting agriculture; (3) NAPIAP, in conjunction with agricultural experts, scientists, and universities, developed and analyzed information on pesticide use, and assessed EPA pesticide regulations' impact on agriculture and the environment; (4) ERS evaluated the economic impact on producers and consumers of EPA-proposed pesticide regulations; (5) in fiscal years 1985 through 1988, ERS spent about \$550,000 to \$650,000 annually on data base development, economic modelling, and analyses related to EPA pesticide regulations; (6) NAPIAP commented on all 15 EPA proposals to change or cancel certain pesticides; (7) ERS responded to only 7 of 15 EPA pesticide regulations because it felt that the pesticides were not agriculture-related, or because NAPIAP did not assemble an assessment team; (8) ERS and NAPIAP analyses did not impact EPA proposals for three of the four pesticides GAO reviewed, but provided useful comments and limited analytical efforts for three pesticides, and contributed valuable and timely data for one pesticide; and (9) EPA officials believed that ERS pesticide analysis had been objective, and that the agencies' employees regularly communicated informally on pesticides and other matters.

### 138491

Electricity Supply: What Can Be Done to Revive the Nuclear Option? RCED-89-67; B-234213. March 23, 1989

Released April 27, 1989. 39 pp. plus 2 appendices (2 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-27, December 24, 1985, Accession Number 128713; RCED-88-73, March 18, 1988, Accession Number 135450; RCED-87-141, August 13, 1987, Accession Number 133981; EMD-78-29, April 27, 1978, Accession Number 105656; and RCED-87-200FS, September 10, 1987, Accession Number 133936.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

**Organization Concerned:** Nuclear Regulatory Commission; Department of Energy.

Congressional Relevance: House Committee on Science and Technology; House Committee on Interior and Insular Affairs; House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Governmental Affairs; Senate Committee on Energy and Natural Resources; Congress; Rep. Michael L. Synar.

Authority: Atomic Energy Act of 1954. Price-Anderson Act (Atomic Energy Damages). Environmental Policy Act of 1969 (National). Nuclear Waste Policy Act of 1982. 53 Fed. Reg. 20603. Calvert Cliffs Coordinating Committee v. Atomic Energy Commission, 449 F.2d 1109 (D.C. Cir. 1971). S. 2779 (100th Cong.). Public Utility Regulatory Policies Act of 1978. Nuclear Waste Policy Amendments Act of 1987.

Abstract: Pursuant to a congressional request, GAO studied the future of nuclear power, focusing on: (1) problems preventing new initiatives in commercial nuclear power; (2) actions which could revive nuclear power; and (3) the status of government and industry efforts to revitalize the use of nuclear power. Findings/Conclusions: GAO found that: (1) public and utility concerns about the feasibility of using nuclear power have risen due to oil embargoes, recession, inflation, decreased electricity demand, industrial accidents, and poor utility management; (2) although public opinion largely supported nuclear power's critical role in the nation's energy future, worst-case industrial accidents and environmental, health, and safety problems strengthened public opposition to nuclear power; (3) utility representatives believed that power plants generally had strong safety records; (4) utility representatives believed that they faced increased financial risk in building new power plants due to the Nuclear Regulatory Commission's (NRC) two-step licensing process, states disallowing the recovery of construction costs, and the

Department of Energy's (DOE) slow progress toward building a nuclear waste repository; (5) utilities' increasing reliance on such alternatives as imported electricity and oil- and gaspowered generators raised serious energy security concerns; (6) utility representatives believed that continued safe, efficient plant operations and a strong federal nuclear energy policy would increase public acceptance of nuclear power; and (7) NRC and DOE attempts to reform the licensing process. standardize plant designs, improve reactors and testing models, and select a repository site lacked the necessary support and funding.

Recommendation To Congress: Congress should review the nuclear option within the broad context of the nation's energy security concerns and the changing nature of the electric utility industry. As it reviews the nation's nuclear energy policy, Congress should consider enacting legislation to reform the licensing process into a more predictable procedure and promoting utilities' use of NRC-preapproved standardized designs. It could also reevaluate the goals and objectives of existing federal nuclear research and development efforts.

#### 138495

[Groundwater Conditions at Many Hazardous Waste Disposal Facilities Remain Uncertain]. T-RCED-89-30. April 27, 1989. 13 pp. plus 1 appendix (1 pp.). Testimony before the House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-48, December 9, 1987, Accession Number 134827; and RCED-88-29, February 18, 1988, Accession Number 135343.

Contact: Resources, Community, and Economic Development Division.
Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee.

**Authority:** Resource Conservation and Recovery Act of 1976.

Abstract: GAO discussed the Environmental Protection Agency's (EPA) groundwater monitoring activities. GAO found weaknesses in the EPA program, including EPA failure to: (1) ensure that facilities met its established groundwater monitoring

goals: (2) establish criteria for the type, amount, and quality of data needed for permit and groundwater program decisions: (3) establish sufficient technical standards and requirements for facility owners and operators to use in monitoring groundwater; and (4) develop or require facility owners and operators to implement quality control and assurance mechanisms to ensure data accuracy and appropriateness. GAO also found that: (1) 11 of the 50 facilities it reviewed met EPA and state groundwater monitoring goals, and the remaining 39 had not developed sufficient information to demonstrate their compliance with EPA requirements; (2) 43 facilities had not received their permits by 1987, and EPA deferred requiring corrective designs until after permit issuance; and (3) EPA used questionable data to make its permit decisions, and did not evaluate the quality of operator-provided data. GAO also found that EPA took corrective action to improve groundwater data collection, including requiring owners and operators to: (1) take better representative samples; (2) analyze all samples down to specific detection levels; and (3) meet established quality control standards.

### 138503

[Observations on the Corps of Engineers' Draft General Design Memorandum for the Proposed Atlantic Coast of Maryland Hurricane Protection Project]. T-RCED-89-33. April 28, 1989. 6 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of the Army: Corps of Engineers; Maryland.

Congressional Relevance: House Committee on Public Works; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Public Works.

Authority: Water Resources Development Act of 1986 (P.L. 99-662). P.L. 84-99. 33 U.S.C. 701n.

Abstract: Pursuant to a congressional request, GAO discussed the Army Corps of Engineers' draft general design memorandum for the proposed Atlantic

Coast of Maryland Hurricane Protection Project for Ocean City, Maryland. GAO noted that: (1) the project, intended to provide storm protection and erosion control, involved construction of a recreation beach, construction of a steel bulkhead and a sand dune for damage protection, periodic nourishment of beach sand, and major rehabilitation in case of flood damage; (2) Maryland spent \$12 million in state funds to construct the recreation beach; (3) the federal government's 65-percent share of damage protection and periodic nourishment would amount to an estimated cost of \$36 million and \$99 million, respectively; (4) the Corps estimated that it would spend about \$2.6 million on pre-construction engineering and design studies by the end of fiscal year (FY) 1989; (5) the Corps did not include the project in its FY 1990 budget, although it expected the project to be ready for construction by then; and (6) Maryland was primarily responsible for major rehabilitation costs for flood damage, although the Corps could, as a last resort, use its emergency funds for flood damage rehabilitation.

# 138509

Superfund: Analysis of Issues Concerning the Operating Industries Site. RCED-89-77; B-232915. March 30, 1989. Released May 1, 1989. 44 pp. plus 5 appendices (5 pp.). Report to Rep. Matthew G. Martinez; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Assessing Effectiveness and Efficiency of the Use of Superfund Resources (6813). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Issue Area: Environmental Protection:

Organization Concerned: Environmental Protection Agency; Operating Industries, Inc.

Operating Industries, Inc.

Congressional Relevance: House
Committee on Appropriations: HUDIndependent Agencies Subcommittee;
House Committee on Energy and
Commerce; Senate Committee on
Appropriations: HUD-Independent
Agencies Subcommittee; Senate
Committee on Environment and Public
Works; Rep. Matthew G. Martinez.
Authority: Water Pollution Control Act.
Solid Waste Disposal Act. Clean Air Act.
Toxic Substances Control Act. Resource
Conservation and Recovery Act of 1976.
Superfund Amendments and

Reauthorization Act of 1986. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Abstract: Pursuant to a congressional request, GAO examined the Environmental Protection Agency's (EPA) inclusion of a hazardous waste site on its National Priorities List (NPL), focusing on: (1) its inclusion of the entire site on NPL; and (2) the costeffectiveness of its treatment of the site. Findings/Conclusions: GAO found that EPA: (1) complied with applicable laws and regulations when it defined the site's boundaries for inclusion on NPL; (2) did not remove a portion of the site from NPL, as requested by a potential buyer as a precondition for sale, since regulations expressly prohibited such deletion pending cleanup; (3) is pursuing cleanup funds or actions from about 200 parties that owned or disposed of waste at the site; and (4) announced that over 100 companies had signed a consent decree, valued at about \$66 million, to finance or conduct some of the site cleanup activities. GAO also found that the EPA feasibility study of on-site and off-site treatment approaches: (1) did not adequately analyze alternative treatment costs and certain hidden costs: (2) concluded that construction and operation of an on-site treatment plant could save \$1.86 million over off-site treatment costs; (3) also considered such criteria as public health, environmental concerns, and engineering implementation and feasibility in selecting its treatment approach; and (4) evaluated five alternative plant sites and the feasibility of using two nearby existing commercial treatment plants. Recommendation To Agencies: To help ensure that feasibility studies at other Superfund sites are performed properly, the Administrator, EPA, should revise EPA guidance on feasibility studies to require that hidden costs, such as the imputed value of tax liabilities and liability insurance, be included in cost analyses.

# 138542

Nuclear Regulation: License Renewal Questions for Nuclear Plants Need to Be Resolved. RCED-89-90; B-223582. April 3, 1989. Released May 4, 1989. 45 pp. plus 1 appendix (1 pp.). Report to Rep. Edward J. Markey; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-73, March 18, 1988, Accession Number 135450. Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission; Department of Energy.

Congressional Relevance: House Committee on Interior and Insular Affairs: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Energy and Power Subcommittee: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; Senate Committee on Governmental Affairs; Rep. Edward J. Markey.

Authority: Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.). Energy Reorganization Act of 1974 (42 U.S.C. 5841 et seq.). Environmental Policy Act of 1969 (National).

Abstract: Pursuant to a congressional request, GAO reviewed the effects of aging on nuclear power plants, focusing on: (1) the Nuclear Regulatory Commission's (NRC) program to develop a license renewal policy and accompanying regulations; and (2) efforts by the Department of Energy (DOE) and the electric utility industry to extend the lives of nuclear plants.

Findings/Conclusions: GAO found that: (1) many utilities will have to decide whether to renew licenses for older nuclear plants or construct new plants; (2) although NRC has developed 3 possible license renewal policy options and identified 15 unresolved technical, environmental, and procedural regulatory problems, it has made little progress in reaching definitive regulatory criteria; (3) NRC research on the effects of aging on nuclear plants has not identified any generic agerelated conditions that would require nuclear plants to shut down, but has identified some conditions that might require repair, replacement, or special treatment; (4) NRC identified some agerelated degradation that could affect the continued operation of 12 plants; and (5) DOE and the utility industry have conducted life extension studies at four plants and have not identified any agerelated degradation or technical

obstacles associated with plant hardware to preclude continued operations. Recommendation To Agencies: The Chairman, NRC, should: (1) accelerate the schedule for developing license renewal regulations and stipulate the basis that will be used to evaluate renewal applications and the types of records, engineering analyses, and other historical information needed to support a request for continued operations; and (2) resolve the outstanding technical, environmental, and procedural uncertainties.

#### 138544

Pesticides: Export of Unregistered Pesticides Is Not Adequately Monitored by EPA. RCED-89-128; B-203051. April 25, 1989.

Released May 4, 1989, 36 pp. plus 3 appendices (3 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to CED-79-43, June 22, 1979, Accession Number 109731; CED-78-103, April 20, 1978, Accession Number 105668; RCED-86-219, September 26, 1986, Accession Number 131729; T-RCED-89-31, May 3, 1989, Accession Number 138573; and T-RCED-90-57, March 28, 1990, Accession Number 140968.

Issue Area: Environmental Protection: Assessing How The Federal Pesticide Program Protects Public Health and the Environment From Unreasonable Risks (6806).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

# Organization Concerned:

Environmental Protection Agency; Food and Drug Administration; Department of State.

Congressional Relevance: House
Committee on Appropriations: HUDIndependent Agencies Subcommittee;
House Committee on Energy and
Commerce; House Committee on
Government Operations: Environment,
Energy and Natural Resources
Subcommittee; Senate Committee on
Appropriations: HUD-Independent
Agencies Subcommittee; Senate
Committee on Environment and Public
Works; Rep. Michael L. Synar.
Authority: Insecticide, Fungicide and
Rodenticide Act (7 U.S.C. 136 et seq.).
Food, Drug and Cosmetic Act (21 U.S.C.

301 et seq.). Toxic Substances Control Act. 45 Fed. Reg. 50274. Heckler v. Chaney, 470 U.S. 821 (1985). Federal Managers' Financial Integrity Act of 1982.

Abstract: In response to a congressional request, GAO reviewed the Environmental Protection Agency's (EPA) implementation of the Federal Insecticide, Fungicide, and Rodenticide Act's provisions regarding pesticide notification requirements.

Findings/Conclusions: GAO found that:

(1) EPA lacked an effective program to monitor pesticide manufacturers' compliance with pesticide export notification requirements; (2) pesticide notices did not contain sufficient and meaningful information for foreign governments to adequately identify pesticide products; (3) the EPA policy of exempting unregistered pesticide products because of their similarity and use hindered its efforts to monitor pesticide manufacturers' compliance with the notification requirements; (4) EPA received notices from about 26 percent of companies that exported 80 percent of unregistered pesticide products to the United States; (5) EPA lacked internal procedures for preparing and issuing notices to foreign countries and international organizations regarding significant action on individual pesticides; and (6) an EPA booklet on cancelled, suspended or restricted pesticides was outdated, and foreign governments lacked current pesticide guidelines.

Recommendation To Agencies: The Administrator, EPA, should take appropriate actions to strengthen EPA oversight of pesticide exports, including monitoring compliance with the notification requirements by matching export notice information with export production data. The Administrator, EPA, should take appropriate actions to strengthen EPA oversight of pesticide exports, including requiring manufacturers to improve the quality and type of information contained in the export notices, such as reporting full chemical descriptions. The Administrator, EPA, should take appropriate actions to strengthen EPA oversight of pesticide exports, including changing EPA enforcement policy concerning an unregistered pesticide currently used for section 17(a) notices, which in effect exempts a large number of pesticides claimed to be similar to registered pesticides. Such a change would be consistent with the way EPA treats an unregistered pesticide used throughout the rest of the pesticide program. The Administrator, EPA, should regularly provide this

information to the Food and Drug Administration to assist in its monitoring of pesticide residues on imported food. The Administrator, EPA, should develop internal criteria and procedures for determining whether and when to prepare and issue a notice of regulatory action, including specifying what constitutes a significant action on a pesticide. The Administrator, EPA, should annually update and issue to all parties concerned, including foreign governments, its booklet on suspended, cancelled, and restricted pesticides. The Administrator, EPA, should establish guidance on section 17(a) transmittal procedures for sending notices to foreign governments. In addition, in cooperation with the Department of State, annually update and send both section 17(a) and 17(b) guidance to U.S. embassies.

#### 138550

[Federal Facilities' Compliance With the Clean Water Act]. T-RCED-89-32. April 26, 1989. 13 pp. Testimony before the House Committee on Armed Services: Environmental Restoration Panel; by Peter F. Guerrero, Associate Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-13, December 27, 1988, Accession Number 137709.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; House Committee on Armed Services: Environmental Restoration Panel; Rep. Vic Fazio; Rep. George Miller. Water Pollution Control Act Amendments of 1972 (Federal). Abstract: GAO discussed the Environmental Protection Agency's (EPA) and state oversight and enforcement of federal facilities' compliance with the National Pollutant Discharge Elimination Program. GAO found that: (1) 30 of the 150 major federal facilities were not in compliance with the program requirements; (2) major federal facilities' noncompliance rate was twice that of nonfederal facilities; (3) over 40 percent of all violating federal facilities were noncompliant for a year or longer; (4) most of the noncompliance was due to the low priority that facilities gave to correcting violations; (5) EPA and state regulators did not take timely enforcement actions against federal

facilities: (6) EPA did not have adequate oversight of its regions' or states' enforcement at the facilities; and (7) EPA did not have criteria for consistent follow-up on facilities that were not issued enforcement orders or for verifying information received from regions on facilities that were not issued enforcement orders. GAO believes that EPA should: (1) improve its oversight of regional and delegated state enforcement activities; (2) establish follow-up criteria for timely enforcement action; and (3) obtain compliance agreements for federal facilities that were not issued timely enforcement actions

# 138560

[DOD Test and Evaluation]. T-PEMD-89-4. May 4, 1989. 6 pp. plus 2 attachments (2 pp.). Testimony before the House of Representatives: Military Reform Caucus; by Eleanor Chelimsky, Assistant Comptroller General, Program Evaluation and Methodology Division. Refer to MASAD-83-27, June 23, 1983, Accession Number 121732; NSIAD-87-108BR, March 18, 1987, Accession Number 132533; and PEMD-88-32BR, July 26, 1988, Accession Number 136428.

Contact: Program Evaluation and Methodology Division.

Organization Concerned: Department of Defense: Office of the Secretary: Office of the Director of Operational Testing and Evaluation.

Congressional Relevance: Joint ry Reform Caucus.

Abstract: GAO discussed the status of testing and evaluation in the Department of Defense (DOD). GAO found that: (1) unrealistic test conditions and analysis and reporting problems cast doubt upon the validity of joint services evaluations; (2) although DOD established an Office for Testing and Evaluation, its methodology was not adequate to assess the effectiveness and suitability of major conventional weapons systems; (3) each of the reports reviewed contained incomplete or inaccurate information and did not contain evidence to support the majority of the favorable overall assessments of testing adequacy and of system effectiveness and performance; and (4) current law, combined with DOD directives, should provide the necessary organizational structure and guidance for the conduct and reporting of sound operational test and evaluation, GAO believes that DOD needs to determine how to ensure: (1) that weapon performance assessments are not overly

favorable; and (2) the completeness and accuracy of the information it gives to Congress.

#### 138573

[Export of Unregistered Pesticides Is Not Adequately Monitored by EPA]. T-RCED-89-31. May 3, 1989. 9 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-128, April 25, 1989, Accession Number 138544; CED-78-103, April 20, 1978, Accession Number 105668; and CED-79-43, June 22, 1979, Accession Number 109731.

Contact: Resources, Community, and Economic Development Division.
Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee.
Authority: Insecticide, Fungicide and

Rodenticide Act. Abstract: GAO discussed the Environmental Protection Agency's (EPA) procedures for monitoring exports of unregistered pesticides and notifying foreign governments of U.S. actions taken on some pesticides. GAO noted that EPA: (1) did not have a program for monitoring pesticide manufacturers' compliance with export notification requirements; (2) did not require export notices for unregistered pesticides which were similar to registered pesticides in composition and use; (3) lacked adequate procedures for preparing and issuing notices to foreign governments when it took significant action on a pesticide because of a serious health or environmental concern; and (4) had not updated a 1985 booklet that summarized and clarified its actions on cancelled. suspended, and restricted pesticides.

### 138606

[EPA's Safety Assessment of Substitutes for Ozone-Depleting Chemicals and Legal Issues Relating to CFC and Halon Production Rights]. T-RCED-89-41. May 15, 1989. 6 pp. plus 2 attachments (40 pp.). Testimony before the House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-49, February 13, 1989, Accession Number 138090.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned:
Environmental Protection Agency.

Congressional Relevance: House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee.

Authority: Clean Air Act. Toxic Substances Control Act. Abstract: GAO discussed the Environmental Protection Agency's (EPA) safety assessment of chemicals being developed as substitutes for chlorofluorocarbons, halons, and other ozone-depleting chemicals. GAO noted that: (1) about 80 countries signed an international agreement to significantly cut, halt, or freeze production levels of ozone-depleting chemicals over the next 10 years; (2) although manufacturers individually tested chemical substitutes and cooperated with international testing programs, EPA did not fully use its authority to assess the safety or regulate the use of the substitutes; (3) the EPA approach for assessing the safety of newly developed chemical substitutes followed its normal premanufacture notification process required by law; (4) the EPA approach for assessing the safety of chemicals already listed in its chemical substance inventory was still evolving, and EPA was only requiring an internal assessment of published and unpublished health and safety data; (5) some manufacturers did not comply with the EPA requirement that they regularly supply health and safety data; and (6) EPA continues to allow anyone to produce any amount of any chemical already in its inventory for any use without notifying it. GAO believes that EPA needs to require manufacturers to notify it of any planned significant new use of existing chemicals so that it can review the safety of those uses and protect public health and the environment.

# 138613

[Reregistration and Tolerance Reassessment Remain Incomplete for Most Pesticides]. T-RCED-89-40. May 15, 1989. 20 pp. plus 2 attachments (2 pp.). Testimony before the Senate Committee on Environment and Public Works: Toxic Substances, Environmental Oversight, Research and Development Subcommitt ee; by Peter F. Guerrero, Associate Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-86-125, April 18, 1986, Accession Number 129999; RED-76-42, December 4, 1975, Accession Number 096904; OCG-89-20TR, November 1988, Accession Number 137346; and RCED-90-134, March 23, 1990, Accession Number 140991.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: Senate
Committee on Environment and Public
Works: Toxic Substances, Environmental
Oversight, Research and Development
Subcommittee; Congress. Insecticide,
Fungicide and Rodenticide Act. Food,
Drug and Cosmetic Act. ecticide,
Fungicide and Rodenticide Amendments
of 1988.

Abstract: GAO discussed the Environmental Protection Agency's (EPA) progress in reregistering pesticides and reassessing pesticide tolerances. GAO found that: (1) despite some progress, EPA was still at a preliminary stage in assessing the risks of older pesticides; (2) EPA has not completely assessed any of the 822 pesticides subject to reregistration; (3) as of December 24, 1988, EPA had issued 194 preliminary assessments; and (4) EPA has completed tolerance reassessments for only 4 of the approximately 387 food-use pesticides subject to reregistration and has completed all tolerance actions for 3 of those 4 pesticides. GAO also found that EPA needs to: (1) establish procedures for reregistering individual products; (2) keep its final regulatory assessments current because of the dynamic nature of pesticide regulation; and (3) enforce label requirements imposed through interim registration standards.

## 138660

[Guidelines Needed for EPA's Tolerance Assessments of Pesticide Residues in Food]. T-RCED-89-35. May 17, 1989. 10 pp. plus 5 attachments (43 pp.). Testimony before the House Committee on Energy and Commerce: Health and the Environment Subcommittee; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Appropriations: HUD-Independent Agencies Subcommittee; House Committee on Energy and Commerce; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; House Committee on Energy and Commerce: Health and the Environment Subcommittee; Senate Committee on Appropriations: HUD-Independent Agencies Subcommittee; Senate Committee on Environment and Public Works; Rep. John D. Dingell. Authority: H.R. 1725 (101st Cong.). Insecticide, Fungicide and Rodenticide

Amendments of 1988.

Abstract: GAO discussed the Environmental Protection Agency's (EPA) methods for assessing potential risks of pesticide residues in food. GAO found that: (1) EPA used its Tolerance Assessment System to estimate dietary exposure to pesticide residues, but it did not establish a policy to assess tolerance levels on population subgroups with the highest potential exposure to pesticides; (2) EPA developed separate cancer risk estimates for the overall U.S. population, even though population subgroup exposure was higher in some cases; and (3) although EPA used residue data in assessments over a 2-year period, there were no guidelines for performing anticipated residue studies. GAO believes that: (1) consideration of all available information on cancer risks would increase the credibility of EPA regulatory decisions on carcinogenic pesticides; and (2) EPA should reevaluate the adequacy of anticipated residue data.

Recommendation To Agencies: The Administrator, EPA, should separately estimate cancer risk for highly exposed subgroups, consider subgroups' risk in its decisions regarding carcinogenic pesticides, and report on the subgroups most at risk in its Federal Register notices for the establishment or change of a pesticide's tolerances. The Administrator, EPA, should proceed now to establish a policy concerning whether, or in what circumstances, tolerance decisions are to be based on the most highly exposed subgroups. The Administrator, EPA, should establish guidelines as soon as possible on the development and use of anticipated residue data to estimate exposure. The Administrator, EPA, should ensure that

the guidelines for using anticipated residue data to estimate exposure also address the disadvantages of each type of data. The Administrator, EPA, should, once it develops guidelines, reevaluate any regulatory decisions it has made in the interim that were based on anticipated residue data.

#### 138683

[Information on the Forest Service Appeals System]. T-RCED-89-43. May 18, 1989. 10 pp. plus 5 attachments (5 pp.). Testimony before the Senate Committee on Agriculture, Nutrition, and Forestry: Conservation and Forestry Subcommittee; by John Harman, Director, Food and Agriculture Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-16BR, February 16, 1989, Accession Number 138049.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Forest Service. Congressional Relevance: Senate Committee on Agriculture, Nutrition, and Forestry: Conservation and Forestry Subcommittee; Sen. Max S. Baucus. Abstract: GAO discussed the Forest Service's appeals system to assess the number, processing time, and backlog of unresolved appeals, as well as whether appeals delayed timber sales. GAO found that: (1) the number of appeals increased from 584 to 1,298 between fiscal years 1983 and 1988; (2) nearly all delays were due to problems with Forest Service environmental analyses that did not meet all documentation requirements; (3) although the Forest Service has revised its environmental analysis procedures to ensure that analyses meet all requirements, the delays will continue for some time because of the absence of a sufficient inventory of future year sales with completed environmental analyses that could substitute for delayed sales; (4) rebuilding this inventory sufficiently to avoid further delays will take another 2 years and will require additional funding dedicated to sales preparation; and (5) the Forest Service will also need to dedicate additional funding to prepare its yearly target volumes in order to maintain this inventory level.

#### 138692

Nuclear Waste: DOE Has Terminated Research Evaluating Crystalline Rock for a Repository. RCED-89-148; B-202377. May 22, 1989. 3 pp. plus 2 appendices (6 pp.). Report to Sen. William S. Cohen; Sen. George J. Mitchell; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-59, December 12, 1989, Accession Number 140185.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy

Supply (271.0).

Organization Concerned: Department of Energy: Office of Civilian Radioactive Waste Management.

Congressional Relevance: Sen. George J. Mitchell; Sen. William S. Cohen. Authority: Nuclear Waste Policy Amendments Act of 1987.

Abstract: In response to a congressional request, GAO assessed whether and to what extent the Department of Energy (DOE) complied with requirements to phase out funding for all existing research programs that evaluated the suitability of crystalline rock as a potential host medium for a nuclear waste repository.

Findings/Conclusions: GAO found that DOE: (1) terminated funding for research programs that specifically evaluated crystalline rock suitability for a repository; (2) continued other research efforts involving crystalline rock because it would provide information useful in evaluating the suitability of Yucca Mountain for a potential repository; (3) believed that it brought the Office of Civilian Radioactive Waste Management's activities into compliance with Nuclear Waste Policy Act amendments while maintaining international relations that were useful to the nuclear waste program; and (4) redirected some research activities to contribute to reinvestigating and developing the Yucca Mountain site.

#### 138727

Water Pollution: Improved Monitoring and Enforcement Needed for Toxic Pollutants Entering Sewers. RCED-89-101; B-234736. April 25, 1989. Released May 25, 1989. 48 pp. plus 3 appendices (3 pp.). Report to Rep. William F. Clinger, Jr., Ranking Minority Member, House Committee on Public Works and Transportation: Investigations and Oversight Subcommittee; Rep. Glenn M. Anderson, Chairman, House Committee on Public Works and Transportation:

Investigations and Oversight Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-90-57, March 5, 1990, Accession Number 141090.

Issue Area: Environmental Protection: Assessing How Water Pollution Facilities Are Reducing Pollutants From the Nation's Waters (6804).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

**Organization Concerned:** Environmental Protection Agency. Congressional Relevance: House Committee on Public Works and Transportation: Investigations and Oversight Subcommittee: House Committee on Appropriations: HUD-Independent Agencies Subcommittee; House Committee on Public Works and Transportation: Investigations and Oversight Subcommittee; Senate Committee on Appropriations: HUD-Independent Agencies Subcommittee; Senate Committee on Environment and Public Works: Environmental Protection Subcommittee; Rep. William F. Clinger, Jr.; Rep. Glenn M. Anderson. Authority: Water Pollution Control Act Amendments of 1972 (Federal). Clean Water Act of 1977. Resource Conservation and Recovery Act of 1976. Water Quality Act of 1987. Federal Managers' Financial Integrity Act of

Abstract: In response to a congressional request, GAO assessed key elements of the Environmental Protection Agency's (EPA) National Industrial Pretreatment Program, focusing on whether: (1) industrial users of publicly owned treatment works (POTW) had discharges exceeding program discharge limitations; and (2) treatment plant enforcement over dischargers, and EPA and state enforcement over treatment plants, was sufficient to ensure that users met discharge limitations and other program requirements.

Findings/Conclusions: GAO found that:
(1) 41 percent of the industrial users failed to comply with and violated one or more of their discharge limits; (2) 20 percent of the treatment plants also had one or more discharge limit violations; (3) the effects of the violations included the pass-through of untreated toxic pollutants to receiving waters, interference with treatment plant operations or damage to plant facilities, and exposure of treatment plant workers to health and safety problems; (4)

treatment plants served about 60 percent of the industrial users with written notices of violations and levied administrative fines for only 5 percent; (5) approval authorities' enforcement against noncomplying treatment plants was also limited, since EPA concentrated its priorities on program start-up rather than on enforcement; and (6) although EPA took actions to address some enforcement problems, the effectiveness of the actions remained unclear. Recommendation To Agencies: The Administrator, EPA, should follow through with the Agency's plans to promulgate a regulatory definition for significant noncompliance to be used by POTW in setting enforcement priorities as soon as possible. In light of uncertainties about the effectiveness of recent EPA actions to correct other enforcement problems in the EPA pretreatment program, the Administrator should evaluate these actions at the end of fiscal year (FY) 1989 and, for those POTW that do not sufficiently incorporate existing guidance on enforcement response procedures into individual plant programs, the Administrator should require the use of EPA standards for timely and appropriate enforcement. In light of uncertainties about the effectiveness of recent EPA actions to correct other enforcement problems in the EPA treatment program, the Administrator should evaluate these actions at the end of FY 1989 and, for those approval authorities that do not sufficiently follow the Agency's recent guidance on when to bring enforcement actions against POTW for failure to implement POTW pretreatment programs, the Administrator should require the use of EPA standards on the type of enforcement actions to be taken under specific circumstances. The Administrator, EPA, should direct pretreatment program approval authorities to review all POTW programs to determine whether prescribed sampling frequencies provide reasonable assurance that discharge limit violations by industrial users will be detected. The Administrator, EPA, should direct pretreatment program approval authorities to review all POTW programs to determine whether sampling locations at industrial users have been selected properly and are clearly specified. The Administrator, EPA, should direct pretreatment program approval authorities to review all POTW programs to determine whether required local discharge limits have been issued and are technically sound. Where deficiencies in any of the areas are identified, the Administrator,

EPA, should direct approval authorities to amend POTW pretreatment programs or issue administrative orders to correct deficiencies in those programs.

#### 138754

**IEPA's Safety Assessment of** Substitutes for Ozone-Depleting Chemicals and Legal Issues Relating to CFC and Halon Production Rights]. T-RCED-89-45. May 19, 1989. 6 pp. plus 2 attachments (40 pp.). Testimony before the Senate Committee on Environment and Public Works: **Environmental Protection** Subcommittee; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-49, February 13, 1989, Accession Number 138090.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned:
Environmental Protection Agency.

Congressional Relevance: Senate

Committee on Environment and Public Works: Environmental Protection
Subcommittee.

Authority: Toxic Substances Control Act. Clean Air Act.

Abstract: GAO reviewed the Environmental Protection Agency's (EPA) safety assessment of substitutes for chlorofluorocarbons (CFC) and other ozone-depleting chemicals. GAO found that: (1) in response to international efforts to cut or eliminate production of ozone-depleting chemicals, chemical producers were working to develop CFC substitutes both individually and as part of two international joint testing programs; (2) EPA has statutory responsibility to ensure that chemical substitutes do not pose unreasonable risks to human health and the environment; (3) EPA adequately assessed new chemicals intended as potential CFC substitutes through its normal premanufacture notification process; (4) EPA improved its approach for reviewing chemicals already listed in its chemical inventory by requiring producers to provide their unpublished health and safety studies on potential substitutes, in addition to their published data; (5) some manufacturers have not complied with EPA reporting requirements; and (6) EPA did not require producers to report significant new uses of existing chemicals intended as CFC substitutes, thereby allowing anyone to produce any amount of any existing chemical for any use, without prior notification to EPA. GAO also

found that EPA is considering economic measures to capture windfall profits that CFC production limits might create, but it was difficult to determine whether EPA had authority to use such measures before it made its proposal.

#### 138774

Aircraft Noise: Status and Management of FAA's West Coast Plan. RCED-89-84; B-230870.2. May 8, 1989.

Released June 2, 1989. 11 pp. plus 4 appendices (18 pp.). Report to Rep. Norman Y. Mineta, Chairman, House Committee on Public Works and Transportation: Surface Transportation Subcommittee; Rep. Glenn M. Anderson, Chairman, House Committee on Public Works and Transportation; Rep. James L. Oberstar, Chairman, House Committee on Public Works and Transportation: Aviation Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-147, August 5, 1988, Accession Number 136566; and RCED-88-143, August 5, 1988, Accession Number 136504.

Issue Area: Transportation: Effectiveness of FAA Management, Development and Implementation of Technologies and Procedures Associated With Modernizing the Airspace and Airport System (6620); Environmental Protection: Other Issue Area Work

**Contact:** Resources, Community, and Economic Development Division.

**Budget Function:** Transportation: Air Transportation (402.0).

Organization Concerned: Department of Transportation; Federal Aviation Administration; Department of Defense.

Congressional Relevance: House
Committee on Appropriations:
Transportation Subcommittee; House
Committee on Public Works and
Transportation: Surface Transportation
Subcommittee; House Committee on
Public Works and Transportation:
Aviation Subcommittee; Senate
Committee on Appropriations:
Transportation Subcommittee; Senate
Committee on Commerce, Science and
Transportation: Aviation Subcommittee;
Rep. James L. Oberstar; Rep. Norman Y.
Mineta; Rep. Glenn M. Anderson.

**Authority:** Environmental Policy Act of 1969 (National). 40 C.F.R. 1506.6. P.L. 85-726. FAA Order 1050.1D.

Abstract: Pursuant to a congressional request, GAO reviewed the status of the Federal Aviation Administration's (FAA)

West Coast Plan and related environmental and management issues. Findings/Conclusions: GAO found that: (1) FAA has completed 3 of the 10 West Cost Plan projects and plans to implement the other 7 by late 1994; (2) FAA estimates total plan costs at about \$143 million; (3) a 1988 FAA environmental assessment of a proposed change to an airport departure procedure did not comply with regulations requiring FAA to discuss alternatives and involve the public in the assessment; (4) FAA stated that it would make its field personnel better aware of environmental considerations and would involve the public in future assessments; (5) several proposed West Coast Plan routes involve expanding existing civil air corridors into military airspace, and FAA and the Department of Defense (DOD) have reached agreement on some proposals, but have suspended work on others; (6) to facilitate progress in discussions with DOD, FAA ceased managing West Coast Plan projects as a coordinated group and began managing each project independently; and (7) the project management decentralization caused potential procurement redundancy, ineffective communication, and insufficient emphasis on project accomplishment to ensure timely completion.

Recommendation To Agencies: The Secretary of Transportation should direct the Administrator, FAA, to develop a means to facilitate and evaluate regional office adherence to FAA Order 1050.1D, particularly in preparing environmental assessments. The Secretary of Transportation should direct the Administrator, FAA, to consider ways of ensuring coordination and integration of related airspace projects that are focused on a specific geographic part of the country or are carried out substantially by a single FAA regional office. In the case of the West Coast Plan, this might necessitate reestablishing the position of a West Coast Plan manager in the Western-Pacific region.

# 138838

[Status of the Department of Energy's Waste Isolation Pilot Plant]. T-RCED-89-50. June 12, 1989. 17 pp. *Testimony* before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to T- RCED-88-63, September 13, 1988, Accession Number 136759; and RCED-90-1, December 8, 1989, Accession Number 140369.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy: Idaho National Engineering Laboratory; Department of Energy; Environmental Protection Agency.

Congressional Relevance: House
Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Congress.

Authority: Safe Drinking Water Act. B-221801.3 (1989).

Abstract: GAO discussed the Department of Energy's (DOE) plan for a 5-year test of its Waste Isolation Pilot Plant's (WIPP): (1) compliance with the Environmental Protection Agency's (EPA) nuclear waste disposal standards; and (2) waste handling, transportation, and storage activities. GAO noted that the draft plan: (1) did not consider the waste retrieval costs and activities that would be necessary if WIPP did not meet EPA standards; (2) called for storage of waste exceeding that needed to test compliance with EPA standards so that DOE could conduct operational demonstration activities which were not essential to assessing safe WIPP operation; and (3) did not adequately support the proposed experiments and the quantities of waste DOE planned to store for testing. GAO believes that, before Congress can approve the proposed DOE test program: (1) DOE needs to complete the plan, consider state and academy reviews of the plan, and provide Congress with specific information on alternative actions in case of WIPP noncompliance with EPA standards; and (2) Congress needs to enact legislation allowing DOE to store wastes at WIPP if it complies with EPA standards.

# 138845

Water Resources: Corps of Engineers' Drought Management of Savannah River Projects. RCED-89-169; B-234347. June 12, 1989. 7 pp. plus 5 appendices (36 pp.). Report to Rep. Butler Derrick; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Assessing Whether Water Resource Programs, Projects, and Activities Are Effectively Managed to Meet the Nation's Water Needs (6917). Contact: Resources, Community, and Economic Development Division. **Budget Function:** Natural Resources and Environment: Water Resources (301.0).

Organization Concerned: Department of the Army: Corps of Engineers: Savannah District, GA; Southeastern Power Administration; Department of the Army: Corps of Engineers; Department of the Army: Office of the Assistant Secretary (Civil Works).

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Public Works and
Transportation; Senate Committee on
Appropriations: Energy and Water
Development Subcommittee; Senate
Committee on Environment and Public
Works; Rep. Butler Derrick.

Authority: Clean Water Act of 1977. Abstract: Pursuant to a congressional request, GAO reviewed the Army Corps of Engineers' management of the Hartwell, Russell, and Thurmond reservoirs in Georgia and South Carolina, focusing on the: (1) Corps' management of the reservoirs during the 1988 drought; (2) drought's effect on the reservoirs' ability to serve users; and (3) Corps' efforts to develop a drought contingency plan for the reservoirs. Findings/Conclusions: GAO found that: (1) the Corps reduced releases from Lake Thurmond beginning in November 1987 and has maintained a constant release rate of 3,600 cubic feet per second since April 1988; (2) the levels of Lakes Thurmond and Hartwell were significantly affected by the drought; (3) the Corps gave water supply and quality maintenance the highest priority during the drought; (4) drought conditions severely curtailed recreational and hydropower uses of the reservoirs; and (5) the Corps was unable to generate sufficient hydropower to satisfy the Southeastern Power Administration's contractual obligations. GAO also found that the Corps: (1) had not completed its drought management plan when the current drought began; (2) did not complete the plan until more than 8 years after a regulation required it and more than 3 years after the Corps' initial target date for plan completion; (3) could have better maintained lake levels had it timely completed the plan; (4) has not completed drought contingency plans for over two-thirds of its water resource projects nationwide; and (5) failed to consider downstream inflows or worst-case scenarios in its drought management plan for the Savannah River Basin.

Recommendation To Agencies: In order for the district to be better prepared to manage drought conditions in the Savannah River Basin, the Assistant Secretary of the Army (Civil Works) should require the Chief Engineer to improve the Savannah District's drought contingency plan by ensuring that the plan: (1) is based on thoroughly documented and current water supply needs; (2) includes downstream inflows in determining releases from the projects; and (3) includes actions to be taken in worst-case situations. So that the Corps is prepared nationwide to better manage ongoing and future drought situations, the Assistant Secretary of the Army (Civil Works) should direct the Chief Engineer to ensure that each district has drought contingency plans for all controlled reservoir storage projects, and that the plans are based on a thorough analysis of user needs, adjust release rate calculations to account for downstream inflows, and include worst-case situation

#### 138865

[Making Superfund Work Better: A Challenge for the New Administration]. T-RCED-89-48. June 15, 1989. 15 pp. plus 1 attachment (1 pp.). Testimony before the Senate Committee on **Environment and Public Works:** Superfund, Ocean and Water Protection Subcommittee; by Richard L. Hembra, Director, Environmental Protection Issues. Resources, Community, and Economic Development Division. Refer to RCED-88-182, July 29, 1988, Accession Number 136756; RCED-89-57, February 17, 1989, Accession Number 138211; RCED-88-1, October 26, 1987, Accession Number 134238; RCED-89-40BR, October 12, 1988, Accession Number 137286; RCED-88-44, December 17, 1987, Accession Number 134840; and RCED-89-27, November 29, 1988, Accession Number 137808.

Contact: Resources, Community, and Economic Development Division. **Organization Concerned:** Environmental Protection Agency. Congressional Relevance: Senate Committee on Environment and Public Works: Superfund, Ocean and Water Protection Subcommittee. Authority: Superfund Amendments and Reauthorization Act of 1986. Resource Conservation and Recovery Act of 1976. Abstract: GAO discussed its work on the Environmental Protection Agency's (EPA) Superfund program and reviewed the EPA Superfund management report. In previous reports, GAO had found EPA difficulty in: (1) controlling

contracting costs; (2) maintaining a stable and competent work force; (3) compelling violators to pay cleanup costs; and (4) defining and meeting its short- and long-term goals. GAO found that the EPA management report recommended: (1) requiring additional procedures for detecting and avoiding contractor conflicts of interest and providing guidance for contractors; (2) retaining staff through pay increases and other incentives; and (3) increasing the use of enforcement orders and improving cost recovery procedures. GAO believes that these recommendations should improve Superfund's effectiveness, but the EPA report did not adequately address contracting cost controls, statutory deadlines, a comprehensive management information system, and the need for strong leadership and management.

#### 138866

Digests of Unpublished Decisions of the Comptroller General of the United States, Vol. V, No. 3. December 1988. 90 pp. by Charles A. Bowsher, Comptroller General. A digest of unpublished decisions of the Comptroller General of the United States, Vol. V. No. 3.

Contact: Office of the Comptroller General.

Abstract: GAO published its monthly digest of unpublished decisions of the Comptroller General of the United States for December 1988. These decisions involved appropriations, financial management, civilian and military personnel, federal procurement, and other miscellaneous topics.

### 138891

Federal Research: Final Site Selection Process for DOE's Super Collider. RCED-89-129BR; B-227295. June 16, 1989. 50 pp. plus 2 appendices (2 pp.). Briefing Report to Sen. Dennis DeConcini; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-18, January 30, 1989, Accession Number 137824; and RCED-90-33BR, October 4, 1989, Accession Number 139679.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressional Interest and Budgetary Constraints (6417).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy.

Congressional Relevance: Sen. Timothy E. Wirth; Sen. Paul Simon; Sen. Donald W. Riegle; Sen. Carl M. Levin; Sen. Alan J. Dixon; Sen. Dennis DeConcini.

Authority: 40 C.F.R. 141.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) site selection process for its superconducting super collider, focusing on whether the site task force: (1) verified data that states submitted and considered changes in the draft environmental impact statements in its site ratings; (2) provided evidence to support its technical evaluation of each site; and (3) considered residents' environmental and geological concerns. Findings/Conclusions: GAO found that the site selection task force: (1) relied on information the states provided, primarily verifying data through site visits to the seven best-qualified sites and through the environmental impact statement process; (2) evaluated and rated the proposed sites in accordance with DOE technical and cost criteria and generally provided evidence to support its ratings; (3) did not provide sufficient documentation about its rating of one site under a geology and tunneling criterion and its estimate of underground construction costs; (4) rated all of the sites favorably under an electric power subcriterion, due to its possibly inappropriate use of a weakestlink theory; (5) selected a Texas site for the supercollider from among sites in Arizona, Colorado, Illinois, Michigan, North Carolina, and Tennessee; and (6) did not identify any significant problems in considering two Texas residents' concerns about hazards posed by fire ants, the reliability of geological data, and the potential hazard to nearby residents from increased levels of radiation exposure.

#### 138904

Infectious Waste: Federal Health Care Facilities' Handling and Disposal Practices. HRD-89-84; B-235366. May 19, 1989.

Released June 20, 1989. 9 pp. plus 6 appendices (22 pp.). Report to Rep. Ron Wyden, Chairman, House Committee on Small Business: Regulation, Business Opportunities and Energy Subcommittee; by Edward A. Densmore, (for David Baine, Director, Federal Health Care Delivery Issues), Human Resources Division.

Issue Area: Health-Direct Delivery: Other Issue Area Work (5292).

Contact: Human Resources Division.

Budget Function: Health: Health Care Services (551.0); Veterans Benefits and Services: Hospital and Medical Care for Veterans (703.0).

Organization Concerned: Department of Veterans Affairs; Health Resources and Services Administration: Indian Health Service; Department of the Navy; National Institutes of Health; Environmental Protection Agency; Public Health Service: Centers for Disease Control.

Congressional Relevance: House Committee on Small Business: Regulation, Business Opportunities and Energy Subcommittee; Rep. Ron Wyden. Authority: (42 U.S.C. 6992 et seq). Abstract: Pursuant to a congressional request, GAO reviewed public and private health care facilities' waste management policies and procedures and the effect the procedures might have on public health or environmental risks. Findings/Conclusions: GAO found that the 12 health care facilities it visited had established policies and procedures for handling, treating, and disposing of medical waste, but the procedures varied significantly regarding: (1) how facilities defined and segregated infectious medical waste; (2) the storage and treatment of infectious wastes before disposal; (3) the amount of employee training; and (4) facility size, scope of services, and existing treatment capacity. GAO also found that the facilities: (1) disposed of infectious waste in accordance with Environmental Protection Agency recommendations and provided acceptable treatment methods before disposal; (2) segregated infectious waste at the source, but not all facilities stored the waste in limited-access areas: (3) offered waste management training to health care staff and waste handlers, but the scope and duration of the training varied significantly; and (4) monitored waste disposal as part of their day-to-day responsibilities.

# 138937

Automated Systems: Legislative Branch Opportunity for Sharing Payroll/Personnel Systems. IMTEC-89-23; B-233732. May 23, 1989. Released June 22, 1989. 11 pp. plus 6 appendices (19 pp.). Report to Sen. Robert C. Byrd, Chairman, Senate Committee on Appropriations; Rep. Jamie L. Whitten, Chairman, House Committee on Appropriations; by Ralph V. Carlone, Assistant Comptroller General, Information Management and

Technology Division. Refer to IMTEC-90-20, February 20, 1990, Accession Number 140933.

Issue Area: Information Management and Technology: Other Issue Area Work (Unanticipated Congressional Requests) (7130).

Contact: Information Management and Technology Division.

**Budget Function:** Automatic Data Processing (990.1).

Organization Concerned: Architect of the Capitol; Library of Congress; Government Printing Office; Department of Agriculture: Office of Operations and Finance: National Finance Center; Environmental Protection Agency; Department of Energy; Defense Logistics Agency; Department of Health and Human Services; Securities and Exchange Commission.

Congressional Relevance: House Committee on Appropriations; Senate Committee on Appropriations; Rep. Jamie L. Whitten; Sen. Robert C. Byrd. Authority: Legislative Branch Appropriation Act, 1989 (P.L. 100-458). Abstract: GAO reviewed the efforts of the Architect of the Capitol, Library of Congress, and Government Printing Office to obtain payroll and personnel system support.

Findings/Conclusions: GAO found that: (1) all three agencies were experiencing problems with their payroll and personnel systems and could significantly benefit by using a shared system; (2) six executive agencies' operating systems could be shared with the three legislative agencies; (3) of the six executive agencies, the Department of Agriculture's National Finance Center (NFC) and the Environmental Protection Agency were the most desirable candidates; and (4) NFC was the strongest choice because of its experience in handling agency conversions and its proven success in implementing a well-functioning, integrated payroll/personnel system.

# 138941

United Nations: U.S. Participation in the Environment Program.
NSIAD-89-142; B-232768. June 21, 1989. 29 pp. plus 2 appendices (3 pp.). Report to Rep. Dante B. Fascell, Chairman, House Committee on Foreign Affairs; Rep. Gus Yatron, Chairman, House Committee on Foreign Affairs: Human Rights and International Organizations
Subcommittee; Rep. Gerald B. Solomon; by Frank C. Conahan, Assistant Comptroller General,

National Security and International Affairs Division. Refer to ID-74-52, July 18, 1974, Accession Number 095810; and ID-79-26, August 10, 1979, Accession Number 110102.

Issue Area: Foreign Economic Assistance: Other Issue Area Work (6291).

Contact: National Security and International Affairs Division.

Budget Function: International Affairs: Foreign Economic and Financial Assistance (151.0).

Organization Concerned: Department of State; Department of State: Bureau of International Organization Affairs; United Nations.

Congressional Relevance: House
Committee on Appropriations: Foreign
Operations, Export Financing and
Related Programs Subcommittee; House
Committee on Foreign Affairs: Human
Rights and International Organizations
Subcommittee; House Committee on
Foreign Affairs; Senate Committee on
Appropriations: Foreign Operations
Subcommittee; Senate Committee on
Foreign Relations; Rep. Gerald B.
Solomon; Rep. Gus Yatron; Rep. Dante
B. Fascell.

Authority: Convention on International Trade in Endangered Species of Wild Fauna and Flora, Mar. 3, 1973, Multilateral, T.I.A.S. No. 8249.

Abstract: Pursuant to a congressional request, GAO reviewed the: (1) United Nations Environment Program's (UNEP) accounting practices, financial reserves, and general efficiency and effectiveness; and (2) extent of U.S. influence in the organization.

Findings/Conclusions: GAO found that UNEP: (1) received financing from the United Nations budget, trust funds, other miscellaneous income, and voluntary contributions to the Environment Fund, to which the United States was a major contributor; (2) for its 1988 through 1989 biennial budget, allocated \$25.8 million for operating expenses, \$60 million for its environmental programs and projects, and \$2 million for its fund program reserves; (3) adjusted its financial reserves each biennium to equal 7.5 percent of its budget to guarantee the Environment Fund's financial liquidity and integrity; (4) administered 22 trust funds with a total balance of \$17.4 million in December 1987; (5) has successfully created various conventions and protocols on environmental conservation, addressed several environmental issues of global importance, and coordinated several environmental initiatives of special interest to the United States; and (6)

made several organizational changes and improved management procedures after conducting a comprehensive selfassessment which identified project design and project link weaknesses and a tendency to dispense funds on many small projects rather than on a few major programs. GAO also found that the Department of State: (1) was satisfied with the level of U.S. influence in UNEP; and (2) had general goals to guide its participation in UNEP, but no longer prepared action programs defining U.S. goals and establishing specific and measurable plans for achieving objectives.

Recommendation To Agencies: The Secretary of State should direct the Assistant Secretary for International Organization Affairs to establish an action program or a similar formulation that would: (1) define objectives and priorities for U.S. participation in UNEP; and (2) specify a plan for achieving them.

#### 138946

[Creation of a Department of Environmental Protection], T-RCED-89-52. June 21, 1989. 5 pp. Testimony before the House Committee on Government Operations: Legislation and National Security Subcommittee; by Harry S. Havens, Assistant Comptroller General, Office of the Comptroller General. Refer to T-RCED-90-25, February 7, 1990, Accession Number 140568.

**Contact:** Resources, Community, and Economic Development Division.

Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: House
Committee on Government Operations:
Legislation and National Security
Subcommittee.

Authority: Clean Water Act of 1977. Clean Air Act.

Abstract: GAO discussed the creation of a Department of Environmental Protection. GAO found that: (1) making the Environmental Protection Agency (EPA) a cabinet-level agency would not change the role or the nature of environmental policy within the federal government or alter the agency's mission or responsibilities; (2) elevating EPA would better ensure that the head of the agency was equal with his counterparts within the federal government and the international community and would have more access to the President on environmental matters; (3) EPA expenditures rose from \$384 million to about \$5 billion, its total

federal outlays have doubled since 1970, and environmental cleanup has cost the nation over \$700 billion thus far; (4) U.S. participation in international agreements has integrated environmental policies into its trade and foreign policies; (5) EPA interacts regularly with other departments, since it is responsible for identifying and representing environmental interest before the rest of the government; (6) because some federal agencies do not always provide the support needed to further environmental policy goals, it is important to have a vehicle for environmental cooperation at the federal agency level; and (7) EPA compared favorably with the criteria used in evaluating other proposals for agency elevation, including improving visibility to achieve a broad national goal, facilitating achievement of broad crosscutting national policy goals, and improving agency oversight and accountability.

#### 138956

Hazardous Materials: Federal Training for First Responders to Highway and Railroad Incidents. RCED-89-146FS; B-235201. May 26, 1989.

Released June 26, 1989. 28 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Dean A. Gallo; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division.

Issue Area: Environmental Protection: Assessing Effectiveness and Efficiency of the Use of Superfund Resources (6813). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Federal Emergency Management Agency; Department of Transportation; Environmental Protection Agency; Department of Energy; Department of Health and Human Services.

Congressional Relevance: Rep. Dean A. Gallo.

Authority: Civil Defense Act. Hazardous Materials Transportation Act (P.L. 93-633). Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Atomic Energy Act of 1954. Superfund Amendments and Reauthorization Act of 1986. Highway Safety Act of 1966.

Abstract: Pursuant to a congressional request, GAO provided information on federal provision of training to state and local personnel who first respond to

highway and rail accidents involving hazardous materials.

Findings/Conclusions: GAO found that five federal agencies offered diverse approaches to meet the high demand for training of state and local first responders, with: (1) individual agencies' fiscal year (FY) 1988 training expenditures ranging from \$307,000 to \$2.14 million and expenditures across agencies totalling about \$5.04 million; (2) activities including instructor training courses, teleconferences, videotape development and dissemination, and grants to states and nonprofit institutions; (3) activities covering such topics as federal regulations, incident response management structures, identification of hazardous materials, toxicology, health and safety protection, and response equipment; (4) the Federal **Emergency Management Agency** training about 87,700 first responders and instructors during FY 1987 and FY 1988; (5) the Environmental Protection Agency training about 3,900 first responders during FY 1987 and FY 1988; (6) the Department of Transportation training about 5,580 first responders during FY 1987 and FY 1988 and funding state programs for training first responders; (7) the Department of Energy training about 2,540 first responders during FY 1987 and FY 1988; (8) the Department of Health and Human Services training about 5,590 first responders during FY 1988; and (9) some of the agencies reporting that budget constraints made it difficult for them to meet the demand for such training.

# 138961

**Technology Transfer:** Implementation Status of the Federal Technology Transfer Act of 1986. RCED-89-154; B-233794. May 30, 1989. 7 pp. plus 10 appendices (39 pp.). Report to Rep. Robert A. Roe, Chairman, House Committee on Science, Space, and Technology; Rep. Robert S. Walker, Ranking Minority Member, House Committee on Science, Space, and Technology; by John M. Ols, Jr., Director, Housing and Community Development Issues, Resources, Community, and Economic Development Division. Refer to T-RCED-89-47, June 1, 1989, Accession Number 138761; and RCED-88-116BR, March 4, 1988, Accession Number 135241.

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science,
Space, and Technology: General Science and Basic Research (251.0).

Organization Concerned: Department of Agriculture: Agricultural Research 'Service; Department of Commerce: National Institute of Standards and Technology; National Oceanic and Atmospheric Administration; Department of the Air Force; Department of the Navy; Department of the Army; Department of Energy; Environmental Protection Agency; Department of the Interior: Bureau of Mines; Department of the Interior: Geological Survey; National Aeronautics and Space Administration; National Institutes of Health.

Congressional Relevance: House Committee on Science, Space, and Technology; House Committee on Science, Space, and Technology; Rep. Robert S. Walker; Rep. Robert A. Roe. Authority: Stevenson-Wydler Technology Innovation Act of 1980 (P.L. 96-480; 15 U.S.C. 3701 et seq.). Technology Transfer Act (Federal) (P.L. 99-502). Executive Order 12591. National Institute of Standards and Technology Authorization Act, 1989 (P.L. 100-519). Aeronautics and Space Act (42 U.S.C. 2473(c)). 17 U.S.C. 105. Omnibus Trade and Competitiveness Act of 1988 (P.L. 100-418). 37 C.F.R. 101. P.L. 96-517. A.R. 70-

Abstract: In response to a congressional request, GAO examined the implementation of the Technology Transfer Act of 1986, focusing on: (1) the progress that 12 federal agencies and 25 of their laboratories made in implementing the act; (2) agencies' delegations of authority to laboratories to enter into cooperative research and development agreements; (3) the incentives provided to government employees to promote technology transfer; and (4) the status of mandated reports.

Findings/Conclusions: GAO found that: (1) 10 of the 12 agencies had delegated authority to enter into cooperative agreements: (2) two agencies did not delegate such authority because one opted to continue its technology transfer activities under another act and the other's laboratories lacked legal capabilities to protect the government's interests; (3) 15 of the 25 laboratories had the authority to enter into cooperative agreements, while 10 laboratories either were not considered laboratories or their respective agencies had not delegated such authority to them; (4) the 12 agencies reported a total of 1,200 agreements in both 1987 and 1988; (5) the agencies reported different types of agreements, since the act provided agencies flexibility in defining cooperative agreements; (6) as of

February 1989, the 12 agencies had reported entering into 172 agreements under the act; (7) the act required agencies to distribute at least 15 percent of royalties and other income, up to \$100,000 annually per person, for property rights; (8) nine agencies collected about \$4.6 million from royalties and licensing fees from October 1986 through September 1988; (9) some agencies had cash award programs to reward their employees for promoting technology transfer; and (10) as of May 1989, the Department of Commerce had the final draft of its required report under review, while all other agencies had submitted their reports to Congress.

#### 139001

Fossil Fuels: Status of DOE-Funded Clean Coal Technology Projects as of March 15, 1989. RCED-89-166FS; B-230504. June 29, 1989. 2 pp. plus 3 appendices (12 pp.). Fact Sheet to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-80, March 29, 1989, Accession Number 138396; T-RCED-89-25, April 13, 1989, Accession Number 138441; and RCED-90-67, March 19, 1990, Accession Number 140907.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressional Interest and Budgetary Constraints (6417).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Philip R. Sharp.

Abstract: Pursuant to a congressional request, GAO reviewed nine demonstration projects that the Department of Energy (DOE) funded under the Clean Coal Technology Program.

Findings/Conclusions: GAO found that: (1) seven of the nine projects experienced coordination, equipment, or financing problems that caused delays in completing project phases, cost overruns, and proposed project modifications; (2) DOE did not know what effect the delays

would have on estimated project completion dates and its share of total project costs; and (3) the other two projects, which DOE funded in late 1988 to replace withdrawn proposals, were on schedule and did not experience any cost increases.

#### 139059

Nonhazardous Waste: State Management of Municipal Landfills and Landfill Expansions. RCED-89-165BR; B-235708. June 29, 1989. Released July 11, 1989. 31 pp. plus 1 appendix (1 pp.). Briefing Report to Sen. John Heinz; Rep. William F. Goodling; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division.

Issue Area: Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: Rep. William F. Goodling; Sen. John Heinz. Authority: Comprehensive Environmental Response, Compensation,

and Liability Act of 1980. Resource Conservation and Recovery Act of 1976. Hazardous and Solid Waste Amendments of 1984.

Abstract: Pursuant to a congressional request, GAO provided information about municipal landfills in the 50 states, focusing on the number of: (1) landfills included on the Environmental Protection Agency's (EPA) National Priorities List (NPL) of hazardous waste sites posing serious health and environmental threats and the number of NPL landfills that sought state approval to expand operations; (2) landfills not on NPL but identified by states as requiring cleanup and the number of those that sought expansion approval; and (3) operating landfills not on NPL or identified by states as requiring cleanup and those that have sought expansion approval. GAO also examined the extent to which states considered citizens' views and owners' and operators' past records as part of the approval process.

Findings/Conclusions: GAO found that: (1) NPL cited 249 municipal landfills, 14 of which sought states' expansion approval during fiscal years (FY) 1987 and 1988; (2) 8 states have identified 116

non-NPL landfills requiring cleanup under their hazardous waste programs; (3) 12 of the 116 state-identified landfills sought expansion permits during FY 1987 and 1988; (4) 7,575 municipal landfills not on NPL or state-identified for cleanup were operating in 49 states as of October 1988; (5) 640 of those landfills in 42 states had applied for expansion during FY 1987 and 1988; (6) 46 states provided for public participation to consider citizens' views about landfill expansion; and (7) 43 states considered owners' and operators' past records as part of the approval process. GAO believes that new EPAproposed minimum criteria for municipal landfill location, design, and operating safeguards could help to make landfills safer and reduce environmental threats.

# 139149

[Observations on Infectious Waste Management]. T-RCED-89-55. July 25, 1989. 19 pp. plus 4 attachments (4 pp.). Testimony before the House Committee on Small Business: Regulation, Business Opportunities and Energy Subcommittee; by Peter F. Guerrero, Associate Director, Environmental Protection Issues, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned:
Environmental Protection Agency.

Congressional Relevance: House
Committee on Small Business:
Regulation, Business Opportunities and Energy Subcommittee.

**Authority:** Resource Conservation and Recovery Act of 1976.

Abstract: GAO discussed six states' infectious waste regulatory programs and infectious waste management issues. GAO found that: (1) 90 percent of the states regulated or planned to regulate medical wastes but did not necessarily have separate infectious waste laws or programs; (2) five of the six states had specific infectious wastes legislation, while Arizona used its general health, air, and solid waste legislation; (3) Arizona considered infected materials dangerous refuse and not acceptable for other solid waste collection; (4) three states had specific requirements to cover infectious waste handling, treatment, and disposal, two had guidelines to cover infectious waste management processes and the other recently imposed new requirements for infectious waste management processes; (5) New York routinely inspected infectious waste

generators, transporters, treaters, and disposers, while the other five states did not routinely inspect handlers: (6) the states took few enforcement actions for inadequate infectious waste management; (7) 72 percent of the states had existing or proposed legislation recommending incincration of infectious wastes but lacked incineration performance standards: (8) California was the only state that had regulations for both on-site and off-site autoclave operations, while most generators followed manufacturers' operating standards; (9) the six states varied considerably in their requirements for placing infectious wastes in landfills; and (10) a medical waste tracking system would provide a sound basis for addressing infectious waste management problems.

#### 139157

Uranium Enrichment: Some Impacts of Proposed Legislation on DOE's Program. RCED-89-170BR; B-235838. July 25, 1989.

Released July 26, 1989. 42 pp. plus 1 appendix (1 pp.). Briefing Report to Rep. Morris K. Udall, Chairman, House Committee on Interior and Insular Affairs; Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. George Miller; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to EMD-79-29, February 5, 1979, Accession Number 108575; EMD-77-46, June 16, 1977, Accession Number 102777; and RCED-88-18, October 19, 1987, Accession Number 134330.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Environmental Protection Agency; Department of Energy; Nuclear Regulatory Commission.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; House Committee on Interior and Insular Affairs; Congress; Rep. George Miller; Rep. Philip R. Sharp; Rep. Morris K. Udall.

Authority: S. 83 (101st Cong.). S. 2097 (100th Cong.). H.R. 4934 (100th Cong.). H.R. 4984 (100th Cong.). H.R. 4975 (100th Cong.). H.R. 5181 (100th Cong.). H.R. 2278 (101st Cong.). H.R. 1100 (101st

Cong.). Uranium Mill Tailings Radiation Control Act of 1978. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Abstract: Pursuant to a congressional request, GAO reviewed proposed uranium enrichment legislation to determine its impact on uranium prices, uranium production, employment, environmental issues, foreign competition, and decommissioning costs. Findings/Conclusions: GAO found that the legislation would: (1) restructure the Department of Energy's (DOE) uranium enrichment program as a government corporation to improve its competitiveness in domestic and international markets; (2) require DOE to purchase \$750 million of domestic uranium ore over 5 years; (3) establish a uranium mill tailings cleanup fund; (4) establish a fund to pay for decommissioning uranium enrichment facilities; and (5) require the corporation to recover only a small fraction of the current program's past unrecovered costs. GAO also found that: (1) the proposed DOE purchase of domestic uranium may not significantly increase production, since producers have large inventories, and may increase nationwide mining employment by 2,000 to 3,000 workers; (2) domestic producers believed that the purchase would help them maintain their business; (3) state officials and uranium ore producers supported the establishment of the cleanup fund, although states and the **Environmental Protection Agency** opposed provisions that limited owners' cleanup responsibilities; (4) worldwide excess uranium enrichment production capacity significantly contributed to increasingly heavy international competition; (5) DOE estimated that it could cost more than \$5 billion to bring three enrichment plants into compliance with environmental legislation and decontaminate, clean up, maintain, or demolish the sites; and (6) DOE planned to share decommissioning costs between the federal government and the commercial enrichment program.

# 139179

[Legislative Proposals Concerning DOE's Uranium Enrichment Program]. T-RCED-89-54. July 26, 1989. 16 pp. Testimony before the House Committee on Science, Space, and Technology: Energy Research and Development Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-18, October 19, 1987, Accession Number 134330.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Science, Space, and Technology: Energy Research and Development Subcommittee. .

Authority: Government Corporation Control Act. S. 83 (101st Cong.). H.R. 2480 (101st Cong.). Atomic Energy Act of 1954.

Abstract: GAO discussed proposed legislation that would restructure the Department of Energy's (DOE) Uranium Enrichment Program as a government corporation. GAO noted that the proposed legislation: (1) would limit recovery of past uranium enrichment costs; (2) would establish a fund to pay for the costs of decommissioning three enriched uranium production facilities; (3) would provide for a voluntary utility ore purchase program; (4) would require the corporation to issue capital stock initially valued at \$3 billion to the United States, and authorize it to issue bonds that would not be government obligations; (5) would require the corporation to seek licenses for enrichment facilities; (6) did not state the corporation's responsibility for facility environmental cleanup and maintenance; and (7) would exempt DOE from committing to future cleanup actions. GAO believes that: (1) although the proposed privatization of the enrichment program would allow for better operation as a business entity, the new corporation would still face serious challenges stemming from licensing problems, undefined environmental and decommissioning costs, and increasing competition; and (2) the proposed legislation should further consider the program's appropriate organizational structure, the appropriate amount of cost recovery, and DOE responsibility for helping the domestic uranium mining industry.

# 139202

California Desert: Planned Wildlife Protection and Enhancement Objectives Not Achieved. RCED-89-171; B-235669. June 23, 1989. Released August 1, 1989. 29 pp. plus 3 appendices (3 pp.). Report to Sen. Alan Cranston; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-90-1, October 2, 1989, Accession Number 139675; and T-RCED-90-24, February 6, 1990, Accession Number 140569.

Issue Area: Natural Resources Management: Effectiveness of Federal Programs and Policies Aimed at Protecting the Natural Environment (6921).

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Other Natural Resources (306.0).

Organization Concerned: Bureau of Land Management; California; Department of the Interior.

Congressional Relevance: House Committee on Appropriations: Interior Subcommittee; House Committee on Interior and Insular Affairs; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources; Sen. Alan Cranston.

Authority: Land Policy and Management Act. Public Rangelands Improvement Act of 1978. Grazing Act. Mining Resources Act (30 U.S.C. 22 et seq.). Abstract: Pursuant to a congressional request, GAO assessed whether the Bureau of Land Management (BLM) appropriately considered wildlife interests in its management of the California Desert Conservation Area (CDCA).

Findings/Conclusions: GAO found that: (1) BLM is statutorily required to manage CDCA in accordance with the principles of multiple use, sustained yield, and resource protection; (2) BLM has worked to develop environmental area plans and habitat management plans to implement its overall wildlife protection goals; (3) BLM has only completed half of its wildlife-related implementation plans; (4) BLM has not effectively implemented those plans it has developed; (5) for fiscal years 1982 through 1988, BLM wildlife funding was less than half that planned; (6) BLM has allowed such events as off-road vehicle races and recreation areas in critical wildlife habitats; (7) BLM has also allowed grazing and mining in threatened habitats; and (8) BLM opposed California's efforts to give certain threatened species greater protection.

Recommendation To Agencies: The Secretary of the Interior should direct the Director, BLM, to take those steps necessary to complete required wildlife areas of critical environmental concern plans and habitat management plans and then implement the action items contained in them.

# 139211

Nuclear Waste: DOE's Management of Single-Shell Tanks at Hanford,

**Washington.** RCED-89-157; B-235391. July 18, 1989.

Released July 20, 1989. 11 pp. plus 7 appendices (17 pp.). Report to Sen. Brock Adams; Rep. Jolene Unsoeld; by Neal P. Curtin, (for J. Dexter Peach, Assistant Comptroller General), Resources, Community, and Economic Development Division. Refer to RCED-90-46FS, November 9, 1989, Accession Number 140193.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned:

Environmental Protection Agency; Department of Energy; Department of Energy: Hanford Power Station; Washington.

Congressional Relevance: House Committee on Energy and Commerce; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Jolene Unsoeld; Sen. Brock Adams. Authority: Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.).

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) management of its Hanford, Washington, site's underground single-shell waste storage tanks containing radioactive and nonradioactive hazardous liquid and solid wastes from nuclear materials production.

Findings/Conclusions: GAO found that DOE: (1) through 1988, identified 66 definite or possible leaks in 66 of 149 single-shell tanks, with an estimated leakage of about 750,000 gallons; (2) in 1987, completed an environmental impact statement for waste disposal, but deferred decisions until the issuance of a supplemental environmental statement in 2000; (3) signed a tripartite agreement with the Environmental Protection Agency and Washington for the removal of feasibly pumpable liquid waste from single-shell tanks by 1996 and for final disposal or removal of any such remaining waste by 2018; (4) did not collect data upon which to sufficiently base management decisions, establish program priorities, or take remedial actions; (5) lacked convincing evidence to support its assertions that the tank leaks had extremely low or nonexistent environmental impact; (6) reduced the volume of single-shell tanks' liquid waste by solidifying liquids or pumping them from tanks; (7) could further reduce the risk of future tank leaks by accelerating its liquid-pumping program and providing better ground covering in the tank farm areas; (8) cited a lack of convincing data indicating problems with accelerated movement of wastes as a reason for not placing new ground surface materials over the tank farm's gravel surface; and (9) repeatedly emphasized the production of nuclear materials to the detriment of environmental concerns.

Recommendation To Agencies: To minimize the environmental effects of tank leaks on the surrounding soil and, eventually, on the groundwater, the Secretary of Energy should conduct a data-gathering program sufficient to assess the risks and extent of groundwater contamination from tank leaks of mobile, nonradioactive contaminants and mobile, long-lived radioactive substances. To minimize the environmental effects of tank leaks on the surrounding soil and, eventually, on the groundwater, the Secretary of Energy should assign appropriate resources and priority to the single-shell tank pumping program to ensure that: (1) at a minimum, all feasibly pumpable liquid is removed from the tanks by 1996; and (2) the 1996 goal is not used to delay removal of liquid that could be pumped before 1996. To minimize the environmental effects of tank leaks on the surrounding soil and, eventually, on the groundwater, the Secretary of Energy should develop specific plans to replace the gravel surfaces at the tank farms with a less permeable material and promptly replace the gravel surfaces if ongoing studies indicate that these surfaces could promote the movement of waste toward the groundwater.

#### 139219

Nuclear Regulation: NRC's Decommissioning Procedures and Criteria Need to Be Strengthened. RCED-89-119; B-231254. May 26, 1989.

Released August 3, 1989. 38 pp. plus 2 appendices (12 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-77-46, June 16, 1977, Accession Number U33006; EMD-82-40, May 25, 1982, Accession Number 118510; RCED-88-184, July 29, 1988, Accession Number 136819; RCED-88-169, August 3, 1988, Accession

Number 136767; and T-RCED-89-57, August 3, 1989, Accession Number 139229.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Nuclear Regulatory Commission; Environmental Protection Agency.

Congressional Relevance: House Committee on Interior and Insular Affairs; House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Energy and Commerce: Energy and Power Subcommittee: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Environment and Public Works: Nuclear Regulation Subcommittee; Senate Committee on Governmental Affairs; Rep. Michael L. Synar.

Authority: Atomic Energy Act of 1954. Energy Reorganization Act of 1974. 10 C.F.R. 40. 10 C.F.R. 50. 10 C.F.R. 70.22(a)(7)(8). 10 C.F.R. 20.

Abstract: In response to a congressional request, GAO assessed Nuclear Regulatory Commission (NRC) actions to ensure that operators of fuel-cycle facilities provide for eventual decommissioning, including: (1) the actions that licensees take to comply with NRC residual radiation guidelines; and (2) NRC assessments of facilities prior to terminating licenses. Findings/Conclusions: GAO found that: (1) NRC fully or partially released two sites for unrestricted use where radioactive contamination was higher than its guidelines allowed; (2) it could not determine whether similar situations occurred at six other sites because licensee cleanup information was sometimes incomplete, ambiguous, or nonexistent, and NRC did not always have information about licensee decontamination activities: (3) NRC regulations did not specify how long either it or licensees should retain decontamination information; (4) licensees did not initially decontaminate their facilities to meet NRC guidelines; (5) although NRC required licensees to decontaminate facilities below its guidelines, 11 of 19 decommissioning plans would not meet that requirement; (6) although NRC required licensees to retain records on the radioactive wastes

they buried, five of the eight cases reviewed involved buried waste on-site, but four of the licensees did not keep or complete disposal data; (7) NRC did not require licensees to monitor groundwater or soil contamination from buried waste, but five licensees found groundwater contaminated with radioactive substances at levels higher than drinking water standards allowed; and (8) although NRC believes that it can require former licensees to conduct additional cleanup activities, it does not have regulations to address the actions it can take. GAO also found that: (1) because the Environmental Protection Agency was responsible for developing residual radiation standards, but did not expect to finalize them until 1992, NRC used guidelines it developed to determine whether to terminate a license; and (2) a professional group that also developed residual radiation standards proposed some levels 3 to 50 times higher and some levels 3 to 5 times lower than NRC guidelines. Recommendation To Agencies: To enhance NRC regulatory oversight of nuclear facilities' decommissioning efforts, the Chairman, NRC, should require licensees to specifically list in one document all land, buildings, and equipment involved with their licensed operations. To enhance NRC regulatory oversight of nuclear facilities decommissioning efforts, the Chairman, NRC, should ensure that the licensees decontaminate their facilities in accordance with NRC guidelines before NRC fully or partially releases a site for unrestricted use. To enhance NRC regulatory oversight of nuclear facilities' decommissioning efforts, the Chairman, NRC, should determine if NRC residual radiation criteria should be revised on the basis of the standards proposed by the Health Physics Society Standards Committee. To enhance NRC regulatory oversight of nuclear facilities decommissioning efforts, the Chairman, NRC, should ensure that licensees appropriately monitor buried waste sites to determine the extent of environmental contamination. To enhance NRC regulatory oversight of nuclear facilities' decommissioning efforts, the Chairman, NRC, should ensure that NRC obtains and keeps for more than 10 years decommissioning information, such as licensee radiological surveys and certification of materials disposed, NRC or other organizations' confirmatory surveys, and specifics on land, buildings, and equipment that were contaminated over the life of the license. Since NRC believes that it has authority to require additional cleanup activities after terminating a license and

to ensure that it has a mechanism to enforce orders requiring such activities, the Chairman, NRC, should act expeditiously to issue regulations governing such actions. In the interim, the Chairman should also ensure that all contamination at a site has been cleaned up so that it is below the levels that NRC guidelines allow before releasing all or part of a site for unrestricted use.

#### 139229

[NRC's Oversight of Licensees' Decommissioning Practices Can Be Improved]. T-RCED-89-57. August 3, 1989. 14 pp. plus 1 appendix (2 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-119, May 26, 1989, Accession Number 139219; EMD-77-46, June 16, 1977, Accession Number 102777; EMD-82-40, May 25, 1982, Accession Number 118510; and RCED-88-184, July 29, 1988, Accession Number 136819.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Nuclear Regulatory Commission; Environmental Protection Agency.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee. .

Authority: Atomic Energy Act of 1954. Abstract: GAO discussed the Nuclear Regulatory Commission's (NRC) decommissioning requirements for obsolete nuclear facilities, focusing on nuclear fuel facility licenses. GAO found that: (1) NRC requires owners of obsolete nuclear facilities to remove the facilities safely from service and reduce residual radioactivity to allow unrestricted property use; (2) the Environmental Protection Agency (EPA) will not finish developing standards for residual radioactivity until 1992; (3) NRC released property for unrestricted use despite radioactive contamination significantly higher than its guidelines allowed; (4) NRC did not require its licensees to monitor buried low-level radioactive waste for soil or groundwater contamination; (5) NRC has not developed regulations to implement its environmental enforcement authority: and (6) NRC may have to change its regulations when EPA completes its residual radiation guidelines.

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#### 139236

The GAO Journal, No. 6, Summer 1989. 1989. 64 pp. Stephen Altman, Editor. Citations to individual articles appear elsewhere in the GAO document data base.

Contact: Office of the Comptroller General.

Abstract: This quarterly publication presents articles on: (1) the international economic impact of the Reagan administration; (2) federal agencies' environmental regulations; (3) the deterioration of the atmosphere; (4) international efforts to save the atmospheric ozone layer; (5) international piracy of intellectual property rights; (6) intergovernmental relations; and (7) revenue sharing.

#### 139238

Government and the Environment: An Interview with Lee Thomas. 1989. 8 pp. by Charles A. Bowsher, Comptroller General, J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division, Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Peter F. Guerrero, Associate Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. In the GAO Journal, No. 6, Summer 1989, pp. 15-22.

Contact: Resources, Community, and Economic Development Division.

## Organization Concerned:

Environmental Protection Agency.

Abstract: This article presents a round table discussion with the Former Administrator of the Environmental Protection Agency (EPA) on the EPA role in protecting the environment. The discussion focuses on: (1) the administrative accomplishments over the past 20 years and remaining problems; (2) the framework in which EPA operates; (3) the federal-state relationship; (4) elevating EPA to cabinet-level status; and (5) the international aspects of environmental

## 139239

protection.

Turning Point for the Earth. 1989. 7 pp. by James Gustave Speth, President, World Resources Institute. In the GAO Journal, No. 6, Summer 1989, pp. 23-29.

**Contact:** Office of the Comptroller General.

Abstract: This article discusses the deterioration of the atmosphere, focusing on: (1) regional air pollution that causes acid rain and damages aquatic life, forests, and crops; and (2) ozone depletion through the widespread use of chlorofluorocarbons (CFC). The buildup of carbon dioxide and other gases in the atmosphere threatens climatic changes through the depletion of the protective ozone layer in the atmosphere. Although industrial countries implemented an international agreement to cut CFC use by 50 percent, many scientists feel that a complete phase-out is needed by the end of the century. Activities such as burning fossil fuels, levelling forests, and producing certain synthetic chemicals release large quantities of carbon dioxide and other gases into the atmosphere, which traps heat close to the surface and raises global temperature. The biggest answer to the atmospheric problem is a transformation in energy technology, with increased energy efficiency at the center.

#### 139240

Diplomacy and the Ozone Crisis. 1989. 8 pp. by Richard Elliot Benedick, Senior Fellow, Conservation Foundation/World Wildlife Fund. In the GAO Journal, No. 6, Summer 1989, pp. 30-37.

**Contact:** Office of the Comptroller General.

**Organization Concerned:** European Communities Commission; United Nations: Environment Programme. Abstract: This article discusses the new mode of international cooperation that reduces substances that damage the environment. In 1987, representatives from countries worldwide signed an agreement that established controls on certain chemicals that can destroy the ozone layer. Although the United States banned the use of chlorofluorocarbons (CFC), the European community instituted only ineffectual regulations and continued to produce CFC. The United Nations worked to inform governments about the ozone depletion issue, provided a nonpoliticized international forum for negotiations, and was the driving force behind the final consensus. The Montreal Protocol on Substances that Deplete the Ozone Laver may serve as a prototype for an evolving system of global diplomacy.

#### 139245

**Drinking Water: Safeguards Are Not Preventing Contamination** 

From Injected Oil and Gas Wastes. RCED-89-97; B-227690. July 5, 1989. Released August 4, 1989. 43 pp. plus 2 appendices (4 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-170, August 28, 1987, Accession Number 134121.

Issue Area: Environmental Protection: Assessing Federal and State Efforts To Prevent Groundwater Contamination (6816).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:

Environmental Protection Agency.

Congressional Relevance: House
Committee on Appropriations: HUDIndependent Agencies Subcommittee;
House Committee on Government
Operations: Environment, Energy and
Natural Resources Subcommittee; Senate
Committee on Appropriations: HUDIndependent Agencies Subcommittee;
Rep. Michael L. Synar.

Authority: Safe Drinking Water Act.
Abstract: Pursuant to a congressional request, GAO reviewed the Environmental Protection Agency's (EPA) Underground Injection Control (UIC) Program, focusing on: (1) whether evidence exists of drinking water contamination from injection wells used in oil and gas production, known as Class II wells, and if so, the causes and actions taken to prevent similar occurrences; and (2) the degree to which states have implemented program safeguards to protect against drinking water contamination.

Findings/Conclusions: GAO found that: (1) there were 23 cases of drinking water contamination, but the full extent of contamination was unknown; (2) EPA estimated that there are about 1.2 million abandoned oil and gas wells in the United States, 200,000 of which may be improperly plugged, and 3 of the 4 states reviewed said that the numbers of improperly plugged wells are increasing; (3) most Class II wells operated before the UIC program, and most contamination cases involved existing wells, but EPA did not subject existing wells to the requirement to search and plug nearby improperly plugged wells; and (4) some states issued permits to operate Class II wells without evidence

that the applicant had conducted pressure tests, and some have not finished reviewing files and pressure testing some of the existing wells. Recommendation To Agencies: In order to better safeguard drinking water supplies from contamination from Class II wells, the Administrator, EPA, should require that UIC program regulations or guidance be established for state- and EPA-administered programs to make existing wells subject to area-of-review requirements as are new wells. The Administrator, EPA, should establish a priority system to ensure that the regulatory agencies review those area reviews containing improperly plugged wells that pose the greatest environmental risks first. To help ensure that Class II wells are structurally sound and not injecting into areas of unplugged wells, the Administrator, EPA, should require state program regulatory agencies to institute the internal controls necessary to ensure that Class II permits are issued only if documentation exists that area-of-review information was checked and the pressure test portion of mechanical integrity tests was conducted.

#### 139270

State Department: Need to Reassess U.S. Participation in the International Joint Commission. NSIAD-89-164; B-206437. June 29, 1989.

Released August 8, 1989. 11 pp. plus 2 appendices (10 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs Division. Refer to CED-82-97, June 23, 1982, Accession Number 118788.

Issue Area: Security and International Relations: Other Issue Area Work (6191). Contact: National Security and International Affairs Division.

Budget Function: International Affairs: Conduct of Foreign Affairs (153.0).

Organization Concerned: Department of State; International Joint Commission—United States and Canada;
Environmental Protection Agency; Department of the Army: Corps of Engineers.

Congressional Relevance: House Committee on Appropriations: Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee; House Committee on Foreign Affairs; House Committee on Government Operations; Senate Committee on Appropriations: Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee; Senate Committee on Foreign Relations; Senate Committee on Governmental Affairs; Sen. John H. Glenn.

Authority: Treaty Relating to the Boundary Waters and Questions Arising Along the Boundary Between the United States and Canada, Jan. 11, 1909, United States-Canada, 36 Stat. 2448. Agreement on Great Lakes Water Quality, Nov. 22, 1978, United States-Canada, T.I.A.S. No. 9257. Treaty Relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, Nov. 14, 1944, United States-Mexico, 59 Stat. 1219

Abstract: Pursuant to a congressional request, GAO reviewed U.S. participation in the International Joint Commission (IJC), focusing on the extent to which U.S. agencies have implemented IJC recommendations. Findings/Conclusions: GAO found that U.S. agencies did not: (1) fully implement at least 43 percent of IJC recommendations in biennial reports on water quality; or (2) acknowledge or respond to many IJC recommendations. GAO also found that U.S. agencies have not thoroughly reviewed U.S. participation in IJC since 1972, even though the scope of the IJC mission has changed substantially since that time. Recommendation To Agencies: The Secretary of State, in conjunction with officials from the Environmental Protection Agency (EPA), the Army Corps of Engineers, and other involved technical agencies, should establish a formal mechanism to provide prompt U.S. responses to IJC recommendations. Such responses should include either a confirmation that the U.S. agencies plan to implement a recommendation or an explanation of their rationale for rejecting the recommended course of action. The Secretary of State, with the assistance of officials from EPA, the Army Corps of Engineers, and other involved technical agencies, should reevaluate U.S. participation in IJC. Among the issues that should be included in this assessment are whether: (1) the U.S. commissioners should be required to have technical backgrounds or expertise; (2) the size and composition of the IJC staff are appropriate for the current IJC mission; (3) improvements can be made in the methods used for collecting and aggregating data from the states; and (4) greater public involvement would help to achieve IJC goals and, if so, what the nature and extent of that involvement should be.

#### 139289

[Adequacy of Preparation and Response Related to Exxon Valdez Oil Spill]. T-RCED-89-59. August 10, 1989. 18 pp. Testimony before the House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee; by Victor S. Rezendes, Associate Director, Transportation Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-44, October 30, 1989, Accession Number 140119.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Exxon Corp.; Alyeska Pipeline Service Co.; United States Coast Guard; Alaska. Congressional Relevance: House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee.

Authority: Clean Water Act of 1977. Abstract: GAO discussed the oil industry's and federal government's response to a large oil spill in Alaska. GAO found that: (1) an inadequate initial response to the spill resulted from equipment and personnel shortages, inadequate communications, and an ineffective organizational structure; (2) the pipeline terminal operator only assembled equipment and personnel for the most likely accident, which was far less severe in magnitude than what actually occurred; (3) the pipeline terminal operator did not have an adequate response plan for a large spill; (4) the federal leadership role in oil-spill cleanup operations was unclear; (5) Alaska, not the federal government, required the pipeline terminal operator to have a response plan; (6) oil-spill response technology was inadequate; (7) the tanker operator was able to marshal cleanup resources far more efficiently than the Coast Guard could have; and (8) use of measures that could have prevented the spill was limited in the area where the spill occurred. GAO believes that preventive actions are equally as important as improving response capability.

#### 139315

Nuclear Waste: Quarterly Report as of March 31, 1989. RCED-89-178; B-202377. August 14, 1989. 7 pp. plus 2 appendices (15 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Keith O. Fultz,

Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-87-166, August 28, 1987, Accession Number 134012.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0)

Organization Concerned: Department of Energy: Office of Civilian Radioactive Waste Management; Bechtel Systems Management, Inc.; Science Applications International Corp.

Congressional Relevance: Senate Committee on Energy and Natural Resources: Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston. Authority: Nuclear Waste Policy Act of 1982. 42 U.S.C. 7216. Anti-Kickback Enforcement Act of 1986. Nuclear Waste Policy Amendments Act of 1987. Abstract: Pursuant to a congressional request, GAO provided the status of the Department of Energy's (DOE) implementation of the Nuclear Waste Policy Act of 1982, focusing on: (1) the status of an unsuccessful bidder's pending lawsuit over alleged conflict-ofinterest violations under a pending DOE management contract; (2) concerns about the legal risks of using a management and operating-type contract; and (3) previous findings relating to DOE administration of contracts for managing and operating DOE nuclear facilities. Findings/Conclusions: GAO found that: (1) although a DOE attorney testified that it had not violated conflict-ofinterest statutes because the prescribed time period had expired prior to the contractor's involvement in the procurement, a court decision was still pending; (2) DOE stated that only management and operating-type contracts would permit a contractor to accomplish the range of work required; (3) although DOE took action to improve its contract administration, it did not require its contractors to publish notices for procurements over \$100,000, establish procedures for management contractors to follow in seeking competitive procurements, or establish procedures to implement anti-kickback legislation; (4) DOE hired a new firm to manage and operate one nuclear plant after it found that it could have saved

\$10 million annually through

competitive procurement; (5) DOE

acceptance of a contractual relationship

that permitted deviations from DOE standards resulted in unnecessary personnel costs of about \$20 million in 1987; and (6) DOE needed to implement recommendations resulting from audits of its management and operating contractors to ensure that nuclear waste program operations were more cost-effective.

#### 139322

Information Dissemination: Cost of Mailing Environmental Impact Statement for Super Collider. GGD-89-104; B-236102. July 28, 1989. 10 pp. Report to Rep. Dennis Hastert; by L. Nye Stevens, Director, Government Business Operations Issues, General Government Division.

Issue Area: Privacy: Other Issue Area Work (9091).

Contact: General Government Division.

Budget Function: Energy: Energy
Information, Policy, and Regulation
(276.0)

Organization Concerned: Department of Energy.

Congressional Relevance: Rep. Dennis Hastert.

**Authority:** Environmental Policy Act of 1969 (National). 40 C.F.R. 1502.19. 40 C.F.R. 1506.10(b).

Abstract: Pursuant to a congressional request, GAO examined the Department of Energy's (DOE) decisions and actions in distributing the final environmental impact statement for the superconducting super collider, focusing on whether the printing and distribution expenses of the 8,000-page statement to almost 17,000 recipients was necessary to comply with federal regulations. Findings/Conclusions: GAO found that: (1) DOE issued a four-volume statement in December 1988 that consisted of 23 separately bound documents and cost about \$1.4 million to print and distribute; (2) the DOE decisions to include individual comments, send copies to all who participated in the process, and send the copies by overnight express mail were consistent with federal regulations; (3) although DOE could have sent less than the entire statement to a significant number of recipients, it did not use the four categories in the regulations to classify its recipients; (4) a DOE decision to disseminate less than the entire statement could have resulted in a 15-day delay in completing the required 30-day process; and (5) DOE did not consider using less costly means of mailing that could have saved about \$217,535 for delivery in about the same time period.

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139340

Air Pollution: EPA's Ambient Air Policy Results in Additional Pollution. RCED-89-144; B-220184. July 26, 1989.

Released August 17, 1989. 26 pp. plus 1 appendix (1 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-94, April 22, 1986, Accession Number 130222; RCED-88-57, January 22, 1988, Accession Number 135212; and RCED-88-192, August 24, 1988, Accession Number 136892.

Issue Area: Environmental Protection: Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Clean Air Act (42 U.S.C. 7401 et seq.). 40 C.F.R. 52.21(1). Clean Air Act Amendments of 1977. H. Rept. 95-294. H. Rept. 95-564.

Abstract: Pursuant to a congressional request, GAO examined the Environmental Protection Agency's (EPA) use of pollution concentration estimates obtained from air quality dispersion models in carrying out its responsibilities under the Clean Air Act, focusing on whether EPA policies: (1) on ambient air quality resulted in approval of increased emissions; and (2) ensured the consistent use of air quality models in regulatory decisions.

Findings/Conclusions: GAO found that: (1) the EPA policy that defined ambient air as that portion of the atmosphere, external to buildings, which had public access, resulted in higher emissions limits than otherwise permitted; (2) EPA did not consider any air above companycontrolled property as ambient air and exempted it from Clean Air Act requirements for air quality standards; (3) EPA stretched some policy decisions to allow some sources to increase emissions by acquiring additional land and restricting public access to it; and (4) there were four instances of noncompliance with EPA-recommended modelling policies and procedures, since

EPA guidelines pertaining to model calibration were not sufficiently detailed to promote consistent understanding among model personnel.

Recommendation To Agencies: In light of the: (1) significant environmental consequences of the EPA policy which allowed increased emissions; and (2) feasibility of an alternative interpretation of ambient air boundaries which restricts the size of nonambient air, the Administrator, EPA, should initiate a formal rulemaking process to redefine ambient air in a manner that is more protective of the environment. The Administrator, EPA, should review, and where necessary, revise the modelling guideline to more clearly and precisely identify and prohibit unacceptable practices such as model calibration. The Administrator, EPA, should consider the need for a review of modelling performed by EPA regions and state and local air pollution control agencies to determine whether they are uniformly and consistently applying the modelling policies and procedures. If such a review detects inconsistent application of the modelling policies and procedures, then the Administrator should initiate corrective actions as deemed appropriate.

## 139404

Hazardous Waste: EPA Cleanup Requirements--DOD Versus Private Entities. NSIAD-89-144; B-213706. July 28, 1989.

Released August 29, 1989. 5 pp. plus 4 appendices (21 pp.). Report to Rep. Richard B. Ray, Chairman, House Committee on Armed Services: Environmental Restoration Panel; by Harry R. Finley, Director, Air Force Issues, National Security and International Affairs Division.

Issue Area: Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811); Air Force: Other Issue Area Work (5491).

Contact: National Security and International Affairs Division.

**Budget Function:** National Defense: Defense-Related Activities (054.0).

**Organization Concerned:** 

Environmental Protection Agency; Department of Defense.

Congressional Relevance: House Committee on Armed Services: Environmental Restoration Panel; Rep. Richard B. Ray.

Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Hazardous and Solid Waste Amendments of 1984.

Abstract: Pursuant to a congressional request, GAO reviewed whether the overlapping requirements of two environmental laws caused the Environmental Protection Agency (EPA) to have higher cleanup standards for Department of Defense (DOD) installations with hazardous waste sites than for private sites.

Findings/Conclusions: GAO found that: (1) DOD installations with both active and inactive hazardous waste sites could be subject to both laws, and were treated as a single hazardous waste site: (2) EPA required installations to develop inactive site cleanup plans before it issued waste storage permits; (3) most DOD installations with sites on the EPA National Priorities List also had active hazardous waste facilities, in which case DOD and EPA, and sometimes states. tried to negotiate an interagency agreement for a cleanup plan that considered both laws' requirements; (4) although cleanup standards were the same for DOD and private sites, site conditions and cleanup efforts frequently differed according to the type and amount of contaminant, future site uses. and potential contamination; (5) although DOD and EPA worked out a model agreement to use for developing specific agreements, they did not have similar procedures for resolving the laws' overlapping requirements; and (6) while EPA believed that the interagency agreements and its regulations resolved or minimized problems caused by the overlapping requirements, DOD cited different terminology and procedural requirements under both laws and the possibility that states could impose different requirements on military installations.

#### 139497

Army Procurement: Water
Purification Equipment May Not
Meet All Performance
Requirements. NSIAD-89-200; B226511. September 11, 1989. 8 pp.
Report to Michael P.W. Stone,
Secretary, Department of the Army;
by Richard A. Davis, Director, Army
Issues, National Security and
International Affairs Division.

Issue Area: Army: Other Issue Area Work (5591).

Contact: National Security and International Affairs Division. Budget Function: National Defense: Defense-Related Activities (054.0). Organization Concerned: Department of the Army; Aqua-Chem, Inc.; Brunswick Corp.

Congressional Relevance: House
Committee on Appropriations: Defense
Subcommittee; House Committee on
Armed Services; Senate Committee on
Appropriations: Defense Subcommittee;
Senate Committee on Armed Services.
Authority: A.R. 70-61. A.R. 70-1.
Abstract: GAO reviewed an Army
procurement for design and development
of a reverse osmosis water purification
unit.

Findings/Conclusions: GAO found that the Army: (1) awarded two full-scale engineering and development contracts to design, develop, and fabricate three prototype units; (2) awarded a production contract to one contractor but discovered during testing that the contractor's prototype design did not meet some critical performance requirements: (3) planned to rely on first-article testing under the production contract to determine whether the contractor's modified design would meet performance requirements; and (4) had limited assurance that the contractor would produce a unit that would meet all the operational requirements. Recommendation To Agencies: The Secretary of the Army should direct procurement officials to take the action necessary to ensure that the planned expanded first-article testing is carried out and that the tests are carefully

#### 139500

National Wildlife Refuges: Continuing Problems With Incompatible Uses Call for Bold Action. RCED-89-196; B-236337. September 8, 1989.

analyzed to ensure that all critical

requirements are addressed.

Released September 13, 1989. 33 pp. plus 5 appendices (51 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Gerry E. Studds, Chairman, House Committee on Merchant Marine and Fisheries: Fisheries, Wildlife Conservation and the Environment Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-89-61, September 12, 1989, Accession Number 139504.

Issue Area: Natural Resources Management: Effectiveness of Federal Programs and Policies Aimed at Protecting the Natural Environment (6921). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0). Organization Concerned: Department

Organization Concerned: Department of the Interior; United States Fish and Wildlife Service.

Congressional Relevance: House Committee on Appropriations: Department of the Interior and Related Agencies Subcommittee: House Committee on Merchant Marine and Fisheries: House Committee on Merchant Marine and Fisheries: Fisheries, Wildlife Conservation and the Environment Subcommittee; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Interior and Related Agencies Subcommittee; Senate Committee on Energy and Natural Resources; Rep. Gerry E. Studds; Rep. Michael L. Synar. Authority: Migratory Bird Hunting Stamp Act (16 U.S.C. 718 et seq.). Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5 et seq.). Refuge Recreation Act (16 U.S.C. 460k et seq.). Wildlife Refuge System Administration Act (16 U.S.C. 668dd et seq.). Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.). Alaska National Interest Lands Conservation Act (16 U.S.C. 3120). Mineral Lands Leasing Act (30 U.S.C. 181 et seq.). Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.). Abstract: Pursuant to a congressional request, GAO evaluated the Fish and Wildlife Service's (FWS) management of the secondary uses of national wildlife refuges, focusing on whether FWS met the purposes for which the refuges were established.

Findings/Conclusions: GAO found that: (1) although the refuges served their primary purpose of providing habitats and safe havens for wildlife, 90 percent of the 428 refuges had at least one secondary use, 70 percent had at least 7 different secondary uses, and more than 30 percent had at least 14 different secondary uses; (2) managing such secondary uses as public recreation, mining, and grazing increasingly diverted management attention from the wildlife functions that refuge staff were trained to perform and caused direct harm to wildlife resources; (3) FWS could not measure the impact of harmful uses on refuge performance, since it did not measure each refuge's wildlife enhancement potential; (4) refuge managers attributed the harmful uses of refuges to external pressures and limitations in FWS jurisdiction over refuge resources; (5) FWS allowed uses

that refuge managers believed harmful in order to satisfy local public and economic interests due to its failure to periodically reevaluate ongoing secondary uses, as required; and (6) FWS jurisdictional limitations included lack of ownership of subsurface mineral rights, shared jurisdiction over navigable waterways within refuge boundaries, and military access to refuge lands and airspace that prevented it from stopping many activities proven to be harmful to wildlife resources.

Recommendation To Agencies: To ensure that secondary uses of national wildlife refuges are compatible with the primary purposes for which the refuges were established, the Secretary of the Interior should direct the Director, FWS, to: (1) base compatibility decisions on biological criteria to prevent nonbiological considerations from influencing such decisions; (2) compile financial data on the cost of managing secondary uses to determine their impact on refuges' limited resources; (3) comply with the requirement in its Refuge Manual to reevaluate the compatibility of ongoing secondary uses on a periodic basis; and (4) eliminate all uses deemed, on biological grounds, to detract materially from the refuges' primary purposes. To ensure that available resources are used effectively, the Secretary of the Interior should direct the Director, FWS, to: (1) identify refuges where less than full ownership and control of necessary resources adversely affect the refuges' primary purposes; (2) establish guidance for determining whether refuges can effectively accomplish their primary wildlife resource purposes; and (3) determine whether these refuges should be improved through the acquisition of needed property rights or other steps, or be removed from the system on the basis of the above guidance, thus freeing limited resources for use at other wildlife refuges.

## 139504

[Problems With Incompatible Uses on National Wildlife Refuges]. T-RCED-89-61. September 12, 1989. 6 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; House Committee on Merchant Marine and Fisheries: Fisheries, Wildlife Conservation and the Environment Subcommittee; by James Duffus, III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division.

Refer to RCED-89-196, September 8, 1989, Accession Number 139500.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: United States Fish and Wildlife Service.

Congressional Relevance: House Committee on Merchant Marine and Fisheries: Fisheries, Wildlife Conservation and the Environment Subcommittee; . House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee. .

Authority: Wildlife Refuge System Administration Act (16 U.S.C. 668dd et seg.).

Abstract: GAO discussed the Fish and Wildlife Service's (FWS) management of national wildlife refuges, focusing on incompatible secondary uses. GAO found that: (1) almost all refuges hosted secondary uses, including recreational, economic, and military activities; (2) at least one harmful secondary activity occurs on nearly 60 percent of the refuges; (3) although FWS did not identify each refuge's wildlife enhancement and production potential, officials believe that the consequences of harmful secondary uses were substantial; (4) external pressures and limitations in FWS jurisdiction over refuge resources have caused FWS to allow harmful secondary uses; and (5) FWS should take corrective management action to ensure that secondary uses are compatible with the primary purpose of conserving wildlife and to ensure that refuges use available resources effectively.

#### 139519

Drug Control: Enforcement Efforts in Burma Are Not Effective. NSIAD-89-197; B-225282. September 11, 1989.

Released September 15, 1989. 29 pp. plus 2 appendices (9 pp.). Report to Sen. Daniel P. Moynihan; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs Division. Refer to GGD-80-4, October 25, 1979, Accession Number 110663; and NSIAD-88-94, February 26, 1988, Accession Number 135119.

Issue Area: Foreign Economic Assistance: Other Issue Area Work (6291).

Contact: National Security and International Affairs Division.

**Budget Function:** International Affairs: Conduct of Foreign Affairs (153.0).

Organization Concerned: Department of State; Socialist Republic of the Union of Burma.

Congressional Relevance: Sen. Daniel P. Movnihan.

Authority: Anti-Drug Abuse Act of 1986 (P.L. 99-570). Foreign Assistance Act of 1961.

Abstract: Pursuant to a congressional request, GAO reviewed the U.S.supported anti-narcotics program in Burma, under which the Department of State supplied aircraft and other equipment for such activities as narcotics interdiction and aerial eradication of opium poppies. Findings/Conclusions: GAO found that: (1) the United States suspended its assistance programs in 1988 after Burma violently suppressed public demonstrations for political and economic reform; (2) prior to program suspension, State had sought expanded anti-narcotics assistance for Burma; (3) political and civil unrest, economic underdevelopment, and narcotics-related corruption hampered Burmese narcotics control efforts, which did not keep pace with the dramatic increase in opium production between 1985 and 1988; (4) although State did not collect adequate data to determine how Burma used assistance for anti-narcotics objectives, it did determine that Burma inefficiently used aerial eradication resources; (5) Burma did not follow recommended health precautions when using an herbicide for aerial eradication and did not allow State to adequately monitor spray operations; (6) the long-term health effects of the herbicide used during aerial eradication are unknown; (7) further eradication and enforcement efforts would not significantly reduce Burmese opium production unless combined with economic development and political settlement activities; and (8) State believed that Burma would more efficiently use resources as it gained experience but did not plan to reinstate the program.

## 139547

[Barriers to Competition in the Airline Industry]. T-RCED-89-65. September 20, 1989. 27 pp. plus 1 appendix (1 pp.). Testimony before the Senate Committee on Commerce, Science and Transportation:
Aviation Subcommittee; by Kenneth M. Mead, Director, Transportation Issues, Resources, Community, and Economic Development Division.
Refer to T-RCED-89-37, June 7, 1989, Accession Number 138813; T-RCED-88-62, September 14, 1988, Accession Number 136786; and T-RCED-90-62,

April 5, 1990, Accession Number 141050.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Federal Aviation Administration.

Congressional Relevance: Senate
Committee on Commerce, Science and
Transportation: Aviation Subcommittee.
Authority: Airport Development
Acceleration Act. Federal Aviation Reg.
Part 36.1(f). Airline Deregulation Act of
1978. Airport and Airway Improvement
Act of 1982.

Abstract: GAO discussed its review of how airline operating and marketing practices could impose barriers to market entry for new or existing carriers. GAO noted that: (1) exclusiveuse gate leases enabled incumbent airlines to prevent entrants from providing competitive service at existing gates; (2) some incumbent airlines' general use agreements allowed them to prevent new gate construction; (3) noise restrictions barred entry or raised entry costs at some airports; (4) some airports' density rules limited the availability of airport take off and landing slots for new entrants; (5) airline-owned computerized reservation systems, frequent-flyer plans, and bonus commissions for travel agents increased airlines' flight volumes; (6) code-sharing agreements which automatically connected jet and commuter carrier flights increased participating airlines' flight volumes; and (7) some airline practices which discouraged competition and new market entry also had such positive effects as cost reduction and noise control. GAO also noted that alternatives for reducing some practices' anti-competitive potential included: (1) abolishing airlines' long-term control over gate leases and slots; (2) reducing federal restrictions making airports dependent on airline revenues; and (3) exploring noise control strategies that minimized adverse effects on competition.

#### 139576

[Barriers to Competition in the Airline Industry]. T-RCED-89-66. September 21, 1989. 28 pp. plus 1 appendix (1 pp.). Testimony before the House Committee on Public Works and Transportation: Aviation Subcommittee; by Kenneth M. Mead, Director, Transportation Issues, Resources, Community, and Economic Development Division. Refer to T-RCED-89-37, June 7, 1989, Accession Number 138813; and T-

RCED-88-62, September 14, 1988, Accession Number 136786.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Federal Aviation Administration.

Congressional Relevance: House Committee on Public Works and Transportation: Aviation Subcommittee.

Authority: Airport Development Acceleration Act. Federal Aviation Reg. Part 36.1(f). Airline Deregulation Act of 1978. Airport and Airway Improvement Act of 1982.

Abstract: GAO discussed its review of how airline operating and marketing practices could impose barriers to market entry for new or existing carriers. GAO noted that: (1) exclusiveuse gate leases enabled incumbent airlines to prevent entrants from providing competitive service at existing gates; (2) some incumbent airlines' general use agreements allowed them to prevent new gate construction: (3) noise restrictions barred entry or raised entry costs at some airports; (4) some airports' density rules limited the availability of airport takeoff and landing slots for new entrants; (5) airline-owned computerized reservation systems, frequent-flyer plans, and bonus commissions for travel agents increased airlines' flight volumes; (6) code-sharing agreements which automatically connected jet and commuter carrier flights increased participating airlines' flight volumes; and (7) some airline practices which discouraged competition and new market entry also had such positive effects as cost reduction and noise control. GAO also noted that alternatives for reducing some practices' anti-competitive potential included: (1) abolishing airlines' long-term control over gate leases and slots; (2) reducing federal restrictions making airports dependent on airline revenues; and (3) exploring noise control strategies that minimized adverse effects on competition.

## 139584

Aircraft Noise: Eight Airports'
Efforts to Mitigate Noise. RCED-89189; B-230870.3. September 14, 1989.
Released September 25, 1989. 10 pp. plus
11 appendices (65 pp.). Report to Rep.
James L. Oberstar, Chairman, House
Committee on Public Works and
Transportation: Aviation Subcommittee;
Rep. Bruce F. Vento; by Victor S.
Rezendes, (for Kenneth M. Mead,
Director, Transportation Issues),
Resources, Community, and Economic
Development Division. Refer to RCED88-143, August 5, 1988, Accession

Number 136504; and T-RCED-90-4, October 26, 1989, Accession Number 139890.

Issue Area: Transportation:
Effectiveness of FAA Management,
Development and Implementation of
Technologies and Procedures Associated
With Modernizing the Airspace and
Airport System (6620); Environmental
Protection: Other Issue Area Work
(6891).

Contact: Resources, Community, and Economic Development Division. Budget Function: Transportation: Air Transportation (402.0).

Organization Concerned: Federal Aviation Administration.

Congressional Relevance: House Committee on Public Works and Transportation: Aviation Subcommittee; Rep. Bruce F. Vento; Rep. James L. Oberstar.

Authority: Aviation Act. Aviation Safety and Noise Abatement Act of 1979. Griggs v. Allegheny, 369 U.S. 84 (1962). Airport and Airway Safety and Capacity Expansion Act of 1987.

Abstract: Pursuant to a congressional request, GAO provided information on eight major airports' efforts to mitigate aircraft noise, focusing on: (1) the airports' selection and use of measures for mitigating the effects of aircraftgenerated noise; (2) Federal Aviation Administration (FAA) assistance for noise mitigation programs; and (3) the airports' evaluations of individual noise mitigation efforts and total programs. Findings/Conclusions: GAO found that: (1) airports formed advisory committees to identify, analyze, and recommend noise control measures and develop their noise programs; (2) advisory committees generally attempted to involve airporthired consultants, community representatives, planning agencies, airlines, and FAA, but were not always able to maintain a harmonious balance among the airports' operational needs, community desires, and FAA requirements; (3) airports' individual physical locations, operational levels, and community relations limited the types of feasible noise control actions; (4) seven of the eight airports took noise mitigation actions under each of four broad categories involving airport, aircraft, or airspace operational changes, land use controls, physical modifications to airports, and noise management and community involvement processes; (5) of the seven airports participating in the FAA Part 150 program, which provided financial and technical assistance for developing and implementing noise mitigation programs, five were dissatisfied with FAA assistance, four

were concerned about the sufficiency of future grant funds, and four had FAA-approved noise compatibility programs; and (6) airports evaluated or planned to evaluate the overall effects of their noise mitigation efforts, since they found it difficult to assess the effects of individual measures.

#### 139617

Wilderness Preservation: Problems in Some National Forests Should Be Addressed. RCED-89-202; B-236596. September 26, 1989. 70 pp. plus 3 appendices (20 pp.). Report to Rep. Bruce F. Vento, Chairman, House Committee on Interior and Insular Affairs: National Parks and Public Lands Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-182, September 22, 1989, Accession Number 139586; RCED-84-101, July 26, 1984, Accession Number 124874; RCED-87-131, June 30, 1987, Accession Number 133438; AFMD-88-45, March 31, 1988, Accession Number 135707; and T-RCED-90-24, February 8, 1990, Accession Number 140569.

Issue Area: Natural Resources Management: Effectiveness of the Set-Aside of Special Areas on Federal Lands (6914).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Department of Agriculture; Forest Service.

Congressional Relevance: House Committee on Appropriations: Department of the Interior and Related Agencies Subcommittee; House Committee on Interior and Insular Affairs: House Committee on Interior and Insular Affairs: National Parks and Public Lands Subcommittee; Senate Committee on Appropriations: Interior Subcommittee; Senate Committee on Energy and Natural Resources; Congress; Rep. Bruce F. Vento. Authority: Wilderness Act (16 U.S.C. 1131 et seq.). Forest and Rangeland Renewable Resources Planning Act of 1974. Forest Management Act (16 U.S.C. 1600 et seq.). P.L. 93-622. P.L. 100-91. Abstract: Pursuant to a congressional request, GAO reviewed the Forest Service's management of its National Wilderness Preservation System lands, focusing on: (1) the extent of resource deterioration in wilderness areas; and (2) Service staffing and funding devoted to wilderness management.

Findings/Conclusions: GAO found that the Service: (1) managed about 32.5 million acres of National Wilderness Preservation System lands, including 354 wilderness areas; (2) decentralized wilderness area management to the individual national forest and district office levels, with oversight by regional offices and headquarters; (3) did not require wilderness managers to maintain comprehensive information on wilderness area conditions, although managers indicated that there was a considerable amount of unmet trail maintenance and reconstruction needs and campsite deterioration; (4) did not periodically inventory conditions in many wilderness areas and could not determine whether conditions were improving or worsening; (5) had unnecessarily large or highly visible administrative and recreational facilities and structures in several wilderness areas, which did not comply with its policy to maintain low visibility; (6) did not maintain information about funding and staffing it devoted to management of individual wilderness areas; and (7) believes that staffing and funding have been inadequate to achieve its objectives, resulting in its not performing monitoring, data-gathering, trail maintenance, campsite cleanup, and public education tasks it believes necessary to protect the wilderness areas.

Recommendation To Agencies: To improve administration of the National Wilderness Preservation System, the Secretary of Agriculture should direct the Chief, Forest Service, to develop baseline inventory information on the condition of each designated wilderness and monitor changes in the condition and extent of use in wilderness areas. To improve administration of the National Wilderness Preservation System, the Secretary of Agriculture should direct the Chief, Forest Service, to consider the applicability of the limits of acceptable change method or other methods to assess changes in wilderness conditions. To improve administration of the National Wilderness Preservation System, the Secretary of Agriculture should direct the Chief, Forest Service, to evaluate present Forest Service administrative sites to determine whether the structures: (1) are the minimum needed to protect the resource and the safety of users; and (2) set a proper example for other visitors to the area. To improve administration of the National Wilderness Preservation System, the Secretary of Agriculture

should direct the Chief, Forest Service. to establish a uniform national policy for dealing with outfitter and guide structures and facilities within wilderness areas that minimizes the presence of such structures in keeping with the spirit of the Wilderness Act. To improve administration of the National Wilderness Preservation System and provide Congress with current and accurate budget information, the Secretary of Agriculture should direct the Chief, Forest Service, in conjunction with the development of baseline inventory information on the condition of individual wilderness areas, to compile information on the total funding and staffing needed to manage wilderness areas in a manner that will meet the objectives of the Wilderness Act.

#### 139622

Superfund: Contractors Are Being Too Liberally Indemnified by the Government. RCED-89-160; B-231219. September 26, 1989. 57 pp. plus 5 appendices (18 pp.). Report to Congress; by Charles A. Bowsher, Comptroller General. Refer to RCED-88-2, October 16, 1987, Accession Number 134208; RCED-88-1. October 26, 1987, Accession Number 134238; RCED-88-39, January 15, 1988, Accession Number 134843; PEMD-89-6, October 28, 1988. Accession Number 137568: HRD-88-64, July 29, 1988, Accession Number 136658; and RCED-89-57, February 17, 1989, Accession Number 138211.

Issue Area: Environmental Protection: Availability of Adequate Insurance for Liabilities Associated With Hazardous Waste (6812).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

**Organization Concerned:** 

Environmental Protection Agency; Planning Research Corp.

Congressional Relevance: Congress.

Authority: Superfund Amendments and Reauthorization Act of 1986.
Comprehensive Environmental Response, Compensation, and Liability Act of 1980. F.A.R. 52.228. Atomic Energy Act of 1954. Price-Anderson Act (Atomic Energy Damages). Aeronautics and Space Act. EPA A.R. 1552.228. Antideficiency Act (31 U.S.C. 1341). Executive Order 12580. Emergency Planning and Community Right-to-Know Act of 1986. 62 Comp. Gen. 361. Property

and Administrative Services Act (40 U.S.C. 541 et seq.). F.A.R. 9.5. EPA A.R. 1509.5. EPA A.R. 1509.509(b).

Abstract: Pursuant to a legislative requirement, GAO reviewed the Environmental Protection Agency's (EPA) Superfund Amendments and Reauthorization Act of 1986 (SARA) Section 119 program for indemnifying Superfund program contractors and subcontractors against liabilities caused by negligence, focusing on: (1) the use of and need for indemnification agreements; (2) claims against those agreements; (3) the program's compliance with applicable laws and regulations; and (4) program management.

Findings/Conclusions: GAO found that: (1) as of June 1989, EPA had provided over 1.000 indemnification agreements to Superfund prime contractors and subcontractors, most of which worked directly for EPA; (2) EPA did not grant indemnification to any contractor working directly for parties responsible for the contaminated sites; (3) while no claims had been filed against any of the indemnification agreements, many years could pass before pollution was detected and a claim brought against the alleged polluter; (4) most private insurers generally regarded pollution risks as uninsurable, although three insurers provided some limited-coverage pollution insurance for cleanup contractors; (5) although several contractors cited their reluctance to perform Superfund work without indemnification, some of them had performed Superfund work for states and responsible parties without indemnification; (6) EPA provided indemnification free of charge; (7) EPA did not fully comply with requirements to provide indemnification on a discretionary, case-by-case basis, and did not enforce guidance procedures for granting indemnification; (8) EPA did not set limits on the amount of contractor indemnification; and (9) the EPA contractor for providing section 119 policy support was a direct beneficiary through two major indemnified Superfund contracts.

Recommendation To Agencies: Because SARA section 119 established specific statutory authority to indemnify Superfund response action contractors, the Administrator, EPA, should advise federal agencies to use section 119 rather than general contracting authorities if they choose to indemnify Superfund contractors. To limit the government's potential exposure to liabilities caused by contractor negligence and keep qualified contractors working in the Superfund program, the Administrator, EPA,

should: (1) identify and test, through the procurement system, options for providing section 119 indemnification that will make it competitively unattractive for Superfund contractors and subcontractors to obtain more indemnification than is needed; and (2) incorporate the options that are most cost-beneficial to the government into the regular Superfund procurement process. To encourage the development of pollution liability insurance for response action contractors and limit dependence on federal indemnification, the Administrator, EPA, should implement management controls for the section 119 indemnification program that will ensure that: (1) the insurance requirements in SARA are strictly enforced; and (2) indemnification decisions are made on a discretionary case-by-case basis, as Congress intended. To avoid unnecessary exposure of Superfund while EPA section 119 guidance is being developed, the Administrator, EPA, should attempt to reach an immediate agreement with contractors indemnified under the interim program to place a specific limit on the amount of indemnification they are being provided and specify a limit in indemnification agreements provided under the interim program for new contracts.

## 139641

Computer Security: Identification of Sensitive Systems Operated on Behalf of Ten Agencies. IMTEC-89-70; B-231257. September 27, 1989. 4 pp. plus 2 appendices (11 pp.). Report to Rep. John Conyers, Jr., Chairman, House Committee on Government Operations; Rep. Robert A. Roe, Chairman, House Committee on Science, Space, and Technology; by Ralph V. Carlone, Assistant Comptroller General, Information Management and Technology Division.

Issue Area: Information Management and Technology: Other Issue Area Work (Unanticipated Congressional Requests) (7130).

Contact: Information Management and Technology Division.

**Budget Function:** Automatic Data Processing (990.1).

Organization Concerned: Department of Agriculture; Department of Defense; Department of Energy; Department of Health and Human Services; Department of the Interior; Department of Justice; Department of Labor; Department of the Treasury; Environmental Protection Agency; National Aeronautics and Space Administration.

Congressional Relevance: House Committee on Science, Space, and Technology; House Committee on Government Operations; Rep. Robert A. Roe; Rep. John Conyers, Jr. . Authority: Computer Security Act of 1987.

Abstract: Pursuant to a congressional request, GAO provided information on 10 federal agencies' identification of sensitive computer systems operated by contractors, states, and other organizations.

Findings/Conclusions: GAO found that: (1) 9 agencies reported in November 1988 a total of 812 sensitive computer systems operated by contractors or other organizations and none operated by states; (2) the Environmental Protection Agency (EPA) reported that it operated all of its sensitive computer systems; (3) the Departments of Agriculture (USDA), Interior, Justice (DOJ), Labor (DOL), and the Treasury sent their components definitions of sensitive computer systems and then consolidated componentsupplied information to determine their total numbers of sensitive systems: (4) DOJ. DOL. Treasury, and the Department of Defense (DOD) used computer security plans, inventories, or other documentation to ensure that their reported lists were complete; and (5) in response to a March 1989 request that they revise their lists, which did not appear to include all sensitive systems operated by contractors, states, or other organizations, DOD, Interior, DOL, Treasury, and the Department of Health and Human Services reported a total of 220 additional systems, while other agencies reviewed their original responses and verified their accuracy.

## 139653

Financial Audit: Trans-Alaska Pipeline Liability Fund's 1988 Financial Statements. AFMD-89-104; B-208638. September 29, 1989. 13 pp. Report to Congress; by Brian P. Crowley, (for Charles A. Bowsher, Comptroller General).

Issue Area: Financial Statement Audits of Government Entities: Audits of Government Corporations and Pension Plans (7505).

Contact: Accounting and Financial Management Division.

Budget Function: Financial
Management and Information Systems:
Regulatory Accounting Rules and
Financial Reporting (998.6).
Organization Concerned: Trans-Alaska

Pipeline Liability Fund; Touche Ross

and Co.; Exxon Corp.: Exxon Shipping

Congressional Relevance: Congress.

Authority: Trans-Alaska Pipeline
Authorization Act (43 U.S.C. 1653(c)(4)).

Abstract: Pursuant to a legislative requirement, GAO reviewed an independent accountant's audit of the

requirement, GAO reviewed an independent accountant's audit of the Trans-Alaska Pipeline Liability Fund's financial statements as of December 31, 1988.

Findings/Conclusions: GAO found that: (1) the audit found that the Fund's financial statements fairly presented its financial position; (2) the audit did not disclose any material weaknesses or noncompliance with laws or regulations; (3) while the Fund has never had to pay a claim since its establishment in 1973, damages related to a March 1989 oil spill are expected to exceed the Fund's maximum liability; and (4) the Fund will contest any claims related to that spill, since it believes that a shipping company's negligence caused the spill.

## 139664

[Implementation of the Federal Onshore Oil and Gas Leasing Reform Act of 1987]. T-RCED-89-69. September 28, 1989. 10 pp. Testimony before the House Committee on Interior and Insular Affairs: Mining and Natural Resources Subcommittee; by James Duffus, III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-108, May 8, 1989, Accession Number 138753; and T-RCED-90-24, February 6, 1990, Accession Number 140569.

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: Forest Service; Bureau of Land Management.

Congressional Relevance: House
Committee on Appropriations: Interior
Subcommittee; House Committee on
Interior and Insular Affairs: Mining and
Natural Resources Subcommittee; Senate
Committee on Appropriations: Interior
Subcommittee; Senate Committee on
Energy and Natural Resources: Mineral
Resources Development and Production
Subcommittee.

Authority: Onshore Oil and Gas Leasing Reform Act. Mineral Leasing Act for Acquired Lands. Environmental Policy Act of 1969 (National). Connor v. Burford, 848 F.2d 1441 (9th Cir. 1988).

Abstract: GAO discussed the Bureau of Land Management's (BLM) and the Forest Service's implementation of legislation concerning those agencies' administration of oil and gas leases on public lands. GAO noted that: (1) although both BLM and the Service determined that they needed to study potential environmental impacts and satisfy all environmental requirements before issuing oil and gas leases or approving drilling permits, 75 of 82 landuse plans, which the agencies heavily relied on in making such determinations, did not adequately identify or address essential potential environmental impacts; (2) both agencies have begun work to improve the information they use in making lease decisions, but are also continuing to approve drilling permits before they obtain the necessary information; (3) the Service's January 1989 proposed regulations for implementing its legislatively required responsibilities did not clearly address bonding requirements, introduced lease development uncertainties, and improperly separated oil and gas leasing decisions from the normal land-use plans and environmental studies process; (4) BLM implementation of its responsibilities resulted in a substantial increase in the percentage of competitively leased land and per-acre revenues; and (5) BLM retained a leasesale procedure which could reduce competition and revenues. Recommendation To Agencies: The Forest Service should confer with BLM in order to establish clear responsibilities for bonding to cover subsurface environmental impacts and nonpayment of royalties on Service lands. Given the uncertainty of what adequate bond amounts should be, and the possibility that amounts larger than current BLM requirements may seriously impede oil and gas leasing, the Forest Service should study the need for and availability of larger bond amounts before issuing bonding regulations. The Forest Service should remove bonding from the current rulemaking and propose a new bonding regulation after completing an appropriate study. The Forest Service should improve its information on the environmental impacts of oil and gas leasing and development on its lands so that informed decisions can be made before a lease is issued, thereby negating the need to deny subsequent development. Unless the Forest Service can ensure that its proposed suitability determination process is consistent with its regulations and would be cheaper and faster than using existing land-use

planning procedures, the Service should use its existing planning process, rather than establishing a new one, to determine which lands should be available for leasing.

#### 139675

[Shortfalls in BLM's Management of Wildlife Habitat in the California Desert Conservation Area]. T-RCED-90-1. October 2, 1989. 6 pp. plus 1 attachment (1 pp.). Testimony before the Senate Committee on Energy and Natural Resources: Public Lands, National Parks and Forests Subcommittee; by James Duffus, III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-171, June 23, 1989, Accession Number 139202.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Bureau of Land Management; California. Congressional Relevance: Senate Committee on Energy and Natural Resources: Public Lands, National Parks and Forests Subcommittee. Authority: S. 11 (101st Cong.). Land Policy and Management Act. Abstract: GAO discussed the Bureau of Land Management's (BLM) management of wildlife habitat in the California Desert Conservation Area (CDCA), focusing on its efforts to protect and enhance wildlife under current legislative authority. GAO found that: (1) in 1980, BLM developed a comprehensive land use plan that required it to develop specific plans for and monitor 57 wildlife habitat management areas and 28 wildlife-related areas of critical environmental concern; (2) as of March 1989, 38 of the required habitat management area plans remained undeveloped; (3) of the 349 tasks in the 22 completed plans, BLM completed only 33 percent, partially completed 21 percent, had not started work on 46 percent, and consistently assigned low priority to or indefinitely delayed essential monitoring; (4) BLM did not maintain current wildlife inventory and population trend data for the more than 635 vertebrate species and countless other species living in CDCA: (5) BLM shortfalls resulted from lack of funding and staff, because actual spending totalled only \$53 million between 1982 and 1988, which was only 40 percent of the planned \$130 million; (6) each of the eight wildlife biologists assigned to CDCA was responsible for an average of 1.5 million acres; (7) BLM generally allowed economic and recreational

interests to take precedence over wildlife interests in resolving land use conflicts; and (8) BLM could not make lasting improvements in its wildlife protection and enhancement efforts until it requested and received funding and staffing levels sufficient to carry out the comprehensive CDCA plan.

#### 139679

Federal Research: Information on Site Selection Process for DOE's Super Collider, RCED-90-33BR; B-227295. October 4, 1989. 25 pp. plus 1 appendix (1 pp.). Briefing Report to Rep. John D. Dingell; Rep. Bob Carr; Rep. Carl D. Pursell; Rep. William D. Ford; Rep. Bob Traxler; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-18, January 30, 1989, Accession Number 137824; RCED-89-129BR, June 16, 1989, Accession Number 138891; and RCED-87-175FS, August 6, 1987, Accession Number 133627.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressional Interest and Budgetary Constraints (6417).

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science, Space, and Technology: General Science and Basic Research (251.0).

Organization Concerned: Department of Energy; Texas; Michigan.

Congressional Relevance: Rep. John D. Dingell; Rep. Bob Traxler; Rep. William D. Ford; Rep. Carl D. Pursell; Rep. Bob Carr.

Authority: Environmental Policy Act of 1969 (National). 40 C.F.R. 1500. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646).

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) site selection process for the superconducting super collider (SSC), focusing on whether DOE: (1) assigned weights to the technical criteria used to evaluate the sites; (2) complied with timing requirements for the draft and final environmental impact statements; (3) considered all the geological information the states submitted subsequent to the initial site proposals; (4) considered whether transfer of federal properties in four site proposals would conflict with the properties' intended use; and (5) considered the \$1-billion financial

inducement that Texas offered to defray costs.

Findings/Conclusions: GAO found that: (1) although DOE listed the technical evaluation criteria in descending order of importance in the invitation for site proposals, it did not assign weights to the criteria or rank the sites according to their performance on the basis of the technical evaluation: (2) the Secretary of Energy considered not only the technical evaluations, but the environmental impact statements and comments, and state representatives' presentations; (3) DOE complied with the timing requirements for both the draft and final environmental impact statements; (4) DOE incorporated all the supplemental geological information that states submitted into its technical evaluations; (5) the federal agencies that owned land proposed for sites had no insurmountable conflicts in using the lands for SSC; and (6) DOE did not consider inducements that Texas or any other proposers offered to defray costs.

#### 139723

Alaska Wildlife Refuges: Restrictive Criteria Used to Recommend Additional Wilderness. RCED-89-155; B-229232. September 28, 1989. Released October 12, 1989. 10 pp. plus 4 appendices (16 pp.). Report to Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Natural Resources Management: Effectiveness of Federal Programs and Policies Aimed at Protecting the Natural Environment (6921).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Conservation and Land Management (302.0).

Organization Concerned: United States Fish and Wildlife Service; Alaska.

Congressional Relevance: House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; Congress; Rep. George Miller.

Authority: Alaska National Interest Lands Conservation Act. Wilderness Act. Abstract: Pursuant to a congressional request, GAO reviewed the Fish and Wildlife Service's (FWS) recommendations for additional wilderness designations in its 16 Alaska wildlife refuges.

Findings/Conclusions: GAO found that: (1) FWS recommended designating an additional 3.4 million acres of refuge lands as wilderness areas, although 52.6 million acres qualified as wilderness; (2) refuge managers and planning team members recommended designating 31.9 million and 26.9 million acres, respectively, of additional wilderness areas: (3) FWS based its policy of restricting designations of additional wilderness areas on congressional intent to limit the establishment of additional areas, and focused wilderness area proposals on adjusting the boundaries of existing areas and adding lands with outstanding or unique resource values that Congress may have inadvertently overlooked during other wilderness designations; (4) other FWS criteria for evaluating refuge lands' wilderness quality involved land ownership, the area's natural integrity and state of nature, opportunities for solitude, primitive recreation opportunities, and size; and (5) refuge managers and planning team members cited differences in opinions regarding flexible and effective resource management and perceived threat of overuse or development as the primary reasons for their differing preferences for additional wilderness area designations. GAO believes that: (1) the designation of additional refuge wilderness areas would not conflict with congressional intent, since the areas are already part of national conservation units; and (2) it is important that Congress consider the basis upon which FWS prepared its recommendations for wilderness area designations.

#### 139779

[Perspectives on the Potential of Clean Coal Technologies to Reduce **Emissions From Coal-Fired Power** Plants]. T-RCED-90-3. October 18, 1989. 16 pp. plus 1 attachment (1 pp.). Testimony before the House Committee on Energy and Commerce: Energy and Power Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to T-RCED-88-47, June 22, 1988, Accession Number 136148; RCED-89-80, March 29, 1989, Accession Number 138396; T-RCED-89-25, April 13, 1989, Accession Number 138441: and RCED-90-67, March 19, 1990, Accession Number 140907.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee. Authority: Clean Air Act.

Abstract: GAO discussed its reviews of the: (1) extent to which pending acid rain control legislation could influence utilities to consider using clean coal technologies; and (2) Department of Energy's (DOE) process for evaluating and selecting demonstration projects for funding under its Clean Coal Technology Program. GAO noted that: (1) surveyed utilities indicated plans to use clean coal technologies for only 5 percent of their existing coal-fired generating units before 2010; (2) the utilities generally indicated that enactment of acid rain control legislation would result in their giving much greater consideration to using emerging clean coal technologies to achieve emission reductions; and (3) although some technologies could be commercially available by 1995, the technologies may require another 5 or 10 years to penetrate the market. GAO also noted that: (1) the DOE project evaluation and selection process appeared to be reasonable, and project evaluation criteria generally complied with congressional and other program guidance; (2) DOE selected 16 projects which represented a mix of technologies with diverse applications; and (3) although the technologies had the potential to reduce emissions where used, nine had limited potential for achieving national emission reductions.

## 139785

[Status of the Research Fleet of the National Oceanic and Atmospheric Administration, Department of Commerce]. T-RCED-89-29. April 27, 1989. 15 pp. Testimony before the House Committee on Merchant Marine and Fisheries: Oceanography Subcommittee; by John M. Ols, Jr., Director, Housing and Community Development Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-42, November 13, 1989, Accession Number 139990.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: National Oceanic and Atmospheric Administration.

Congressional Relevance: House Committee on Merchant Marine and Fisheries: Oceanography Subcommittee. Authority: H.R. 897 (101st Cong.).

Abstract: GAO discussed the status of the National Oceanic and Atmospheric Administration's (NOAA) research fleet modernization and use of multiyear chartering to obtain ship support. GAO found that: (1) budget restraints have reduced research fleet support, although research assignments have increased; (2) NOAA users generally find allocated research ship time and ships' capabilities inadequate; (3) most users believe that ship and equipment upgrades and additional ships are necessary for future research; and (4) NOAA has not adopted a strategy to meet future fleet support needs.

#### 139802

Nuclear Waste: DOE's Budgeting Process for Grants to Nevada Needs Revision. RCED-90-20; B-202377. October 20, 1989. 6 pp. plus 2 appendices (10 pp.). Report to James D. Watkins, Secretary, Department of Energy; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-4, April 1, 1986, Accession Number 129698.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy (270.0).

Organization Concerned: Department of Energy; Nevada.

Congressional Relevance: House
Committee on Government Operations; .
House Committee on Appropriations:
Energy and Water Development
Subcommittee; House Committee on
Energy and Commerce; Senate
Committee on Governmental Affairs;
Senate Committee on Appropriations:
Energy and Water Development
Subcommittee; Senate Committee on
Energy and Natural Resources.
Authority: Nuclear Waste Policy Act of
1982.

Abstract: GAO reviewed the Department of Energy's (DOE) process for budgeting funds for financial assistance to Nevada for independent testing and monitoring activities at the Yucca Mountain nuclear waste disposal site.

Findings/Conclusions: GAO found that: (1) DOE did not evaluate Nevada's funding needs in developing its financial assistance budget; (2) DOE could have to fund Nevada's testing activities regardless of whether it adequately budgeted for them, since a court decided that DOE could not decline to fund the

activities if they met certain criteria; (3) DOE could not meet its commitment to support an appropriate amount of grant funds to Nevada for independent technical oversight of DOE activities without evaluating Nevada's grant request; and (4) Nevada had difficulty submitting a detailed grant request early enough for DOE to evaluate the request because it needed specific information about DOE activities.

Recommendation To Agencies: To ensure that DOE considers Nevada's financial assistance requirements in formulating its nuclear waste program budget, the Secretary of Energy should require Nevada to provide information on its financial assistance needs on a schedule that permits DOE to evaluate the state's funding requests in preparing its budget.

#### 139806

Nuclear Health and Safety: DOE's Award Fees at Rocky Flats Do Not Adequately Reflect ES&H Problems. RCED-90-47; B-222195. October 23, 1989.

Released October 25, 1989, 9 pp. plus 5 appendices (22 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General. National Security and International Affairs Division. Refer to RCED-86-175, June 16, 1986, Accession Number 130260; RCED-86-192, September 8, 1986, Accession Number 131121; T-RCED-90-7. October 24, 1989, Accession Number 139809, RCED-90-60FS, October 23, 1989, Accession Number 139878; T-RCED-90-14, November 17, 1989, Accession Number 140025; RCED-90-82BR, January 30, 1990, Accession Number 140826; T-RCED-90-33, March 2, 1990, Accession Number 140822; and RCED-90-125, April 20, 1990, Accession Number 131399.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division. **Budget Function:** National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy; Department of Energy: Operations Office, Albuquerque, NM; Rockwell International Corp.; Department of Energy: Rocky Flats Nuclear Weapons Production Facility. Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Science, Space, and Technology: Natural Resources, Agriculture Research and Environment

Subcommittee; House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources: Energy Research and Development Subcommittee; Rep. Michael L. Synar.

Authority: Clean Water Act of 1977. Abstract: Pursuant to a congressional request. GAO reviewed the extent to which the Department of Energy (DOE) considered environmental, safety, and health (ES&H) matters in its contract award fee determinations for the Rocky Flats nuclear weapons facility. Findings/Conclusions: GAO found that the DOE award fee determinations: (1) downplayed a variety of significant ES&H problems through questionable classifications and omissions: (2) emphasized production over ES&H matters; and (3) did not require DOE headquarters review or approval. Recommendation To Agencies: The Secretary of Energy should require all awards determinations to be approved at the headquarters level. Headquarters program offices should have approval authority over the operations for which they are responsible. Further, advisory roles in the process should be given to those DOE headquarters offices which have important roles in overseeing the operations. The Secretary of Energy should ensure that there is reasonable balance between production and ES&H performance in the award process. Further, if awards are to be given for accomplishing specific objectives, the Secretary should ensure that such objectives do not conflict with ES&H objectives. The Secretary of Energy should restructure the award process to reduce the level of discretion exercised in making a final determination. In this regard, more specific criteria are needed for determining how a deficiency is to be considered in the evaluation process. Further, procedures are needed to ensure that all identified deficiencies are considered in making an award determination.

## 139809

[DOE's Award Fees at Rocky Flats Do Not Adequately Reflect Environmental, Safety, and Health Problems]. T-RCED-90-7 . October 24, 1989. 12 pp. plus 1 attachment (2 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-47, October 23, 1989, Accession Number 139806; RCED-86-192, September 8, 1986, Accession Number 131121; T-RCED-90-14, November 17, 1989, Accession Number 140025; and T-RCED-90-33, March 2, 1990, Accession Number 140822.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy; Department of Energy: Rocky Flats Nuclear Weapons Production Facility; Rockwell International Corp.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee.

Authority: Clean Water Act of 1977. Abstract: GAO reviewed the Department of Energy's (DOE) management of award fees to the contractor operating its Rocky Flats Plant. GAO found that: (1) despite significant environmental, safety, and health (ES&H) problems at the plant, the contractor scored well in semiannual performance evaluations and received \$26.8 million in award fees between fiscal years 1986 and 1988; (2) in its award fee process, DOE downplayed ES&H problems and placed more emphasis on production than on ES&H problems; (3) DOE headquarters did not review or approve the award fee evaluations; and (4) DOE began to implement improvements in its award fee process, including having all awards reviewed by DOE headquarters and requiring that evaluations weight ES&H matters by at least 51 percent.

#### 120242

Nuclear Health and Safety: Policy Implications of Funding DOE's K Reactor Cooling Tower Project. RCED-89-212; B-236604. September 27, 1989.

Released October 27, 1989. 8 pp. plus 5 appendices (10 pp.). Report to Sen. J. James Exon, Chairman, Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee; Rep. John M. Spratt, Jr., Chairman, House Committee on Armed Services: Department of Energy Defense Nuclear Facilities Panel; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416).

Contact: Resources, Community, and Economic Development Division. **Budget Function: Energy: Energy** Supply (271.0).

Organization Concerned: Department of Energy: Operations Center, Savannah River, SC.

Congressional Relevance: House Committee on Armed Services: Department of Energy Defense Nuclear Facilities Panel; Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee: Rep. John M. Spratt, Jr.; Sen. J. James Exon. Authority: Water Pollution Control Act Amendments of 1972 (Federal) (P.L. 92-

Abstract: Pursuant to a congressional request, GAO reviewed the construction of a cooling tower for the K-reactor at the Department of Energy (DOE) Savannah River Plant in South Carolina, focusing on the: (1) costs and benefits of the cooling tower compared to a potential alternative project that would protect similar wetlands with public access; and (2) policy implications of funding decisions for the project. Findings/Conclusions: GAO found that: (1) the cooling tower would prevent further destruction of cypress and tupelo trees, protect areas for the endangered wood stork, reduce damage to fish, and maintain a more consistent flow into the Savannah River; (2) the tower would cost about \$127 million for construction and about \$1.2 million per year for operation, but would prevent damage to about 10 to 12 acres each year the reactor operated; (3) if DOE followed its current plans for reactor re-start in 1992 and retirement in 2000, 8 years usage would prevent damage to less than 100 acres, but another 630 acres of damaged streams and wetlands would begin natural recovery from the reactor's effects about 8 years sooner than they otherwise would; (4) alternative project costs would range from \$40 million to \$65 million and would preserve about 90,000 acres of the drainage basin of the Ashepoo, Combahee, and Edisto Rivers; and (5) Congress deferred funding decisions for the cooling tower because of doubts about the limited environmental benefits gained from such a large expenditure of federal funds, but potential compliance problems with the Clean Water Act, uncertainties about future supplies of tritium, and maintenance of the existing nuclear weapons stockpile would continue until DOE put a new production reactor into operation.

## 139853

**Nuclear Science: Better Information Needed for Selection of New** 

**Production Reactor. RCED-89-206;** B-231142. September 21, 1989. Released October 30, 1989. 10 pp. plus 6 appendices (28 pp.). Report to Rep. Vic Fazio; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-222, September 21, 1988, Accession Number 136971; T-RCED-89-46, May 24, 1989 Accession Number 138720; and RCED-90-73BR, February 2, 1990, Accession Number 140605.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy: Hanford Power Station; Nuclear Regulatory Commission: Washington Public Power Supply System; Department of Energy: Idaho National

Engineering Laboratory. Congressional Relevance: Congress; Rep.

Vic Fazio. Authority: Environmental Policy Act of 1969 (National) (P.L. 91-190). Department

of Defense Authorization Act, 1989 (P.L. 100-456). P.L. 100-202.

Abstract: Pursuant to a congressional request, GAO provided information on the Department of Energy's (DOE) process for selecting a new production reactor for nuclear weapons materials, focusing on the adequacy of its August 1988 report to Congress, in which it recommended an acquisition strategy for new production reactor capacity. Findings/Conclusions: GAO found that DOE: (1) proposed to construct a heavywater reactor at one nuclear weapons site and a modular high-temperature, gas-cooled reactor at one of its engineering laboratories, at a total estimated cost of \$6.8 billion; (2) as a contingency, proposed to continue developing a light-water tritium target and acquire a 63-percent complete lightwater reactor at the DOE Hanford site: (3) did not present a clear schedule for reactor completion or actual tritium production; (4) assumed that its current reactors could reliably produce tritium for at least 10 years, although it later stopped those reactors due to operational reliability problems; (5) estimated that its proposed strategy could realize new production capacity in 10 years, but did not estimate time needed for testing, production, or extraction; (6) considered a total of 18 options involving various reactor technologies, but did not clearly indicate whether any of the technologies could produce the required amount of tritium; (7) did not consider such

contingencies as safety review, environmental challenges, and construction delays in schedule estimates; (8) provided unrealistic cost estimates for some of its various production reactor strategies; and (9) has two different programs which are developing similar modular hightemperature, gas-cooled reactors.

#### 139871

[The Coast Guard's Cleanup of Hazardous Waste Sites]. T-RCED-90-6. November 1, 1989. 17 pp. plus 2 attachments (3 pp.). Testimony before the House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee; by Victor S. Rezendes, Associate Director. Transportation Issues, Resources, Community, and Economic Development Division. Refer to RCED-86-76, May 6, 1986, Accession Number 130151; RCED-87-153, July 24, 1987, Accession Number 133794; and IMTEC-90-32, April 24, 1990, Accession Number 141250.

Contact: Resources, Community, and Economic Development Division. **Organization Concerned:** United States Coast Guard; Environmental Protection Agency.

Congressional Relevance: House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee.

Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Abstract: GAO discussed the U.S. Coast Guard's actions to carry out its responsibilities under environmental laws, focusing on its efforts to identify and clean up its hazardous waste locations. GAO noted that: (1) the Coast Guard believes that it has identified all of its hazardous waste locations and has cleaned up 12 of the 26 locations it identified, but 3 remaining major cleanup efforts will take up to 30 years and could cost \$100 million; (2) about half of the Coast Guard waste handlers inspected were cited for violating hazardous waste regulations; (3) of the uncorrected violations, 83 percent were at two of the major cleanup locations; (4) the Coast Guard believes that its present environmental funding is adequate, but that it will need more funding to complete the major cleanups; (5) the Coast Guard cannot estimate its total environmental funding needs until it has completed its assessments and investigations at all locations; and (6)

Coast Guard activities were not reporting required environmental violation and cost information to headquarters.

#### 139878

Nuclear Health and Safety: Information on Award Fees Paid at Selected DOE Facilities. RCED-90-60FS; B-232984. October 23, 1989. Released October 24, 1989. 12 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-47, October 23, 1989, Accession Number 139806; T-RCED-90-14, November 17, 1989, Accession Number 140025; and T-RCED-90-33, March 2, 1990, Accession Number 140822.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Abstract: Pursuant to a congressional request, GAO provided information about the Department of Energy's (DOE) fiscal years 1987 and 1988 award fees to contractors at six facilities, focusing on the extent to which DOE considered environmental, safety, and health (ES&H) matters in evaluating contractors' performance and determining award fees. Findings/Conclusions: GAO found that DOE: (1) rated the overall performance of five of the six contractors as very good or excellent, and the remaining contractor as marginal to satisfactory; (2) paid award fees ranging from \$1.4 million to nearly \$10 million to all six contractors, accounting for 46.5 percent to 89.0 percent of the total available award fees; (3) generally rated all contractors as satisfactory to excellent in regard to their ES&H performance, although it rated one contractor as marginal during one evaluation period; (4) assigned weights ranging from 0 percent to 50 percent to ES&H performance in the overall scoring process; and (5) did not consistently

consider ES&H performance as a distinct performance factor.

#### 139884

[Ability of Underground Petroleum Storage Tank Owners to Comply With Federal Financial Responsibility Requirements]. T-RCED-90-9. October 31, 1989. 14 pp. Testimony before the House Committee on Small Business: Antitrust, Impact of Deregulation and Privatization Subcommittee; by Peter F. Guerrero, Associate Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-39, January 15, 1988, Accession Number 134843; T-RCED-90-29, February 20, 1990, Accession Number 140703; and T-RCED-90-48, March 21, 1990, Accession Number 140910.

Contact: Resources, Community, and Economic Development Division. **Organization Concerned:** Environmental Protection Agency. Congressional Relevance: House Committee on Small Business: Antitrust, Impact of Deregulation and Privatization Subcommittee. Authority: Superfund Amendments and Reauthorization Act of 1986. Hazardous and Solid Waste Amendments of 1984. Abstract: GAO discussed the Environmental Protection Agency's (EPA) requirements for underground petroleum storage tank owners to demonstrate their financial responsibility. GAO noted that EPA: (1) was gradually phasing in its requirements for tank owners to demonstrate their financial ability to clean up tank leaks and compensate anyone harmed by leaks; (2) did not defer the financial responsibility requirements for larger firms, which it believed would not experience compliance difficulties, since they could self-insure or use state funds available for cleanups; (3) planned to make a decision about postponing smaller firms' 1990 compliance deadlines as they approached, since the small firms could still experience compliance difficulties; (4) expected to receive and approve some state requests to operate and enforce underground storage tank programs in lieu of the federal program; (5) reported that more insurance companies offered tank coverage and more states created funds to pay for tank leak damages since it enacted the deadlines; (6) assigned a low priority to enforcement of the financial responsibility requirements and advised its regional offices to pursue alternative, nonpunitive enforcement

responses, as opposed to penalties, for those owners that did not comply with financial responsibility requirements; and (7) did not intend to actively check tank owners' compliance or penalize noncompliant firms unless they did not clean up tank leaks.

Recommendation To Agencies: The Administrator, EPA, should determine what regulatory course to follow by: (1) actively monitoring the cost and availability of tank insurance and other financial responsibility mechanisms as the 1990 deadlines approach; and (2) evaluating how noncompliance will affect tank owners' credit and supplies. The Administrator, EPA, should plan and implement a strategy to more actively enforce the financial responsibility requirements.

#### 139890

[Actions to Mitigate Aircraft Noise at Minneapolis-St. Paul International Airport]. T-RCED-90-4. October 26, 1989. 13 pp. plus 5 attachments (5 pp.). Testimony before the Minnesota: Senate: Local and Urban Government Committee; by Allen Li, Assistant Director, Resources, Community, and Economic Development Division. Refer to RCED-89-189, September 14, 1989, Accession Number 139584; and RCED-88-143, August 5, 1988, Accession Number 136504.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Federal Aviation Administration; Minnesota: Senate: Local and Urban Government Committee.

Abstract: GAO discussed aircraft noise abatement programs at eight airports, focusing on the Minneapolis airport. GAO noted that: (1) the Minneapolis airport ranked highest in community complaints, although it ranked fifth in total population affected by aircraft noise; (2) although Minneapolis flight operations affected fewer people than at six other airports, Minneapolis was challenged with many varied community concerns; (3) the Minneapolis airport had implemented as many or more noise reduction measures as the other airports; (4) only the Minneapolis and San Francisco airports had implemented airport use restrictions; (5) a future Federal Aviation Administration (FAA) and Department of Transportation national transportation policy could impose further airport access restrictions; (6) the Minneapolis and Chicago airports had not achieved the community support necessary for land-

use control; (7) seven of the eight airports had implemented noise-reducing physical modifications, but only Minneapolis planned to extend a runway specifically for noise control: (8) Minneapolis-initiated citizen complaint mechanisms appeared to have benefited its noise control program: (9) Minneapolis received less federal funding than six other airports; (10) several airports, including Minneapolis, were dissatisfied with FAA technical assistance in developing their noise reduction programs, and with lengthy FAA proposal reviews; and (11) FAA was responding to the noted criticisms by examining possible program improvements and issuing internal guidance for FAA reviews.

#### 139914

**Nuclear Health and Safety:** Information on a Quality Assurance Problem at DOE's Savannah River Site. RCED-90-61FS; B-236604. October 23, 1989. Released October 24, 1989, 14 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to T-RCED-87-5, March 12, 1987, Accession Number 132383; and T-RCED-88-68, September 30, 1988, Accession Number 136949.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned: Department of Energy: Savannah Nuclear Power Station; E.I. du Pont de Nemours and Co., Inc.; Westinghouse Savannah River Co.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Abstract: Pursuant to a congressional request, GAO provided information about the Department of Energy's (DOE) Savannah River Plant's material content problem with the nuclear reactor fuel and target tubes it used to make tritium, focusing on: (1) why some of the fuel and targets did not have the correct material content for reactor placement; (2) the material content problem's effects on reactor safety; (3) the costs to address

the problem; and (4) implications for reactor restart.

Findings/Conclusions: GAO found that: (1) DOE had the former site operation contractor cease assembly of fuel and target tubes in September 1988, after the contractor reported that tube contents were too low; (2) the former contractor subsequently found that 174 tubes either did not meet content specifications or had inadequate documentation to determine whether they met specifications; (3) DOE did not plan to use the 174 problem tubes or an additional 101 tubes that were included in the problem tubes' assemblies; (4) the former contractor did not adequately ensure that tube assemblies met all of the specifications, independently verify the accuracy of comparisons between tubes' physical examinations and content documentation, or keep adequate tube retesting records; (5) DOE and the present contractor reported that no safety problems resulted from the tube problems, since the tubes' variation from specifications was very small and well within established safety margins; (6) although the contractor estimated that it would cost \$731,000 to replace the defective tubes, it did not develop cost information regarding production overhead, staff time, or the closing of operations for the year it took to resolve the problem; (7) DOE reported that the tube problems would not affect the planned restart of the closed reactor; and (8) DOE approved a new quality assurance program the contractor developed to address the tube problem.

#### 139932

[Implications of State Cleanups of Hazardous Waste Sites on Federal Policy]. T-RCED-90-5. November 7, 1989. 13 pp. plus 2 attachments (3 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee: by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-164, August 21, 1989. Accession Number 139963; RCED-88-44, December 17, 1987, Accession Number 134840; and RCED-85-69, March 29, 1985, Accession Number 126612.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee. . Authority: Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Superfund Amendments and Reauthorization Act of

Abstract: GAO reviewed state cleanups of hazardous waste sites not included under the federal Superfund program, focusing on: (1) state cleanup progress; (2) whether state cleanup levels and remedies met Superfund standards; and (3) the Environmental Protection Agency's (EPA) proposed policy to turn over cleanup of some Superfund sites to states. GAO found that: (1) although most states have accomplished few cleanups, others have enacted tough cleanup laws, committed relatively large resources to cleanup efforts, and achieved considerable results; (2) of the reported 28,000 known or suspected hazardous waste sites, states have completed cleanups at about 1.700 and begun work at another 760; (3) at the 17 non-Superfund sites GAO visited, state plans usually specified cleanup levels that were at least as stringent as federal Superfund levels, but states have not set federal standards for over half of the contaminants at those sites; (4) for 11 of the 17 sites, states set cleanup levels on the basis of incomplete risk assessments or without performing them at all: (5) six of the seven states GAO reviewed considered either a single remedy or a limited number of cleanup alternatives; (6) although EPA provided technical assistance to states, states needed more information on cleanup techniques; and (7) the EPA proposal to defer Superfund cleanups to states did not require state cleanups to meet federal cleanup standards or criteria for remedy selection.

#### 139934

[Improvements Needed in DOT's Hazardous Materials Rail Safety Program]. T-RCED-90-13. November 7, 1989. 11 pp. Testimony before the House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; by Kenneth M. Mead, Director, Transportation Issues, Resources, Community, and Economic Development Division. Refer to RCED-87-3, April 13, 1987, Accession Number 132655.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Federal Railroad Administration; Department of Transportation: Research and Special Programs Administration; Office of Technology Assessment.

Congressional Relevance: *House*Committee on Energy and Commerce:
Transportation and Hazardous Materials
Subcommittee.

Authority: Hazardous Materials Transportation Act. 49 C.F.R. 171.15. 49 C.F.R. 171.16. 49 C.F.R. 174.45. 49 C.F.R. 174.48.

Abstract: GAO discussed its work on rail transportation of hazardous materials, focusing on the: (1) Federal Railroad Administration's (FRA) Hazardous Materials Inspection Program; and (2) Research and Special Programs Administration's (RSPA) Hazardous Materials Information System. GAO noted that FRA implementation of its inspection program has been hampered by: (1) inadequate guidance and excessive independence for program inspectors; (2) inappropriate targeting of inspection resources on railroad facilities instead of shipper facilities and on tank cars instead of on safety procedures; and (3) insufficient staff. GAO also noted that both it and the Office of Technology Assessment had criticized RSPA because: (1) while RSPA made some improvements, the data base on hazardous materials releases was inaccurate and incomplete; (2) RSPA should require shippers to submit reports on hazardous materials releases and should collect other data to ensure that all releases are reported; and (3) RSPA has not established a program to register hazardous materials shippers.

#### 139963

Hazardous Waste Sites: State Cleanup Status and Its Implications for Federal Policy. RCED-89-164; B-215824. August 21, 1989.

Released November 10, 1989. 69 pp. plus 6 appendices (27 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-44, December 17, 1987, Accession Number 134840; RCED-85-69, March 29, 1985, Accession Number 126612; RCED-88-101, August 16, 1988, Accession Number 136581; PEMD-88-5, February 2, 1988, Accession Number 134964; and T-RCED-90-5, November 7, 1989, Accession Number 139932.

Issue Area: Environmental Protection: Assessing Effectiveness and Efficiency of the Use of Superfund Resources (6813). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

L. Synar. Authority: Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Superfund Amendments and Reauthorization Act of 1986. Resource Conservation and Recovery Act of 1976. Safe Drinking Water Act. Spill Compensation and Control Act (New Jersey). Oil and Hazardous Material Release Prevention Act (Massachusetts). Hazardous Substance Account Act (California). Environmental Cleanup Responsibility Act (New Jersey). Clean Water Act of 1977. Toxic Substances Control Act. Abstract: Pursuant to a congressional request, GAO reviewed the status of state cleanups of hazardous waste sites not on the National Priorities List (NPL) and whether the cleanups met Superfund Program standards. Findings/Conclusions: GAO found that: (1) although 47 states reported about 28,000 known or suspected Superfund sites, many had not identified all of their sites; (2) 42 states reported inspecting about 7,800 sites and 43 reported cleaning up 1,736 sites and had begun work on another 760 sites; (3) six states completed about four-fifths of their cleanup activities, while about one-third of the states did not complete any cleanups; (4) the three most active states established major hazardous waste site cleanup programs, had laws to compel responsible parties to clean up sites, authorized at least \$100 million for cleanup, and employed 100 or more people in their programs; (5) of the 41 reporting states, only 11 had more than \$5 million available for non-Superfund sites; (6) at the 17 non-Superfund sites GAO analyzed, state cleanups generally met the federal contaminant levels required for Superfund sites; (7) there were no federal standards for about onethird of the contaminants in groundwater and none for many soil contaminants at the sites reviewed; (8) states set cleanup levels at 11 of the 17 sites without performing formal risk assessments, most states selected remedies without fully considering **Environmental Protection Agency** (EPA)-required alternatives, and only 1 state considered the full range of remedies; and (9) although EPA provided technical assistance to states in the form of standards, guidance, training and advice on some sites, states needed more information on health effects of contaminants, protective cleanup levels, risk assessments, remedy selection, and cleanup technologies.

Recommendation To Agencies: In view of the difficult task faced by states seeking to clean up thousands of non-NPL sites, the Administrator, EPA, should reexamine the nature, form, and extent of EPA technical assistance to the states to determine how best to assist them in selecting cleanup levels and remedies at non-NPL sites. Given concerns raised within EPA about the need for improved technical assistance on NPL sites, this reexamination should be designed so that NPL case managers in EPA regions and at state-lead NPL sites also benefit. The Administrator should then devise and implement a strategy to increase the delivery of effective assistance to states and EPA regions. To ensure consistently protective cleanups for sites so seriously contaminated that they could be listed on NPL, the Administrator, EPA, should require, in any deferral policy EPA adopts, that: (1) state cleanup of deferred NPL sites be consistent with the national contingency plan; (2) states' eligibility for deferrals be conditioned on their meeting specified standards, including standards for experience and resources; and (3) EPA has the right to monitor state cleanup performance on deferred NPL sites. If a deferral policy is implemented, the Administrator, EPA, should periodically monitor state cleanups for compliance with the deferral requirements.

#### 139994

[GAO's Views on DOE's Environmental Restoration and Waste Management Five-Year Plan]. T-RCED-90-16. November 14, 1989. 12 pp. Testimony before the Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: Senate
Committee on Governmental Affairs.
Abstract: GAO discussed a Department
of Energy (DOE) environmental
restoration and waste management plan.
GAO noted that: (1) DOE proposed a 5year plan to address problems regarding
radioactive waste tank leakage,

groundwater contamination, inactive waste sites, environmental law compliance, and DOE management oversight; (2) DOE estimated that its cleanup plan would cost about \$19.1 billion from 1991 through 1995; (3) the plan's cost estimates will probably increase over the next 5 years, given cleanup cost uncertainties; (4) the plan included new waste management technologies which could reduce future cleanup costs, although the technologies were years away from application; and (5) overall, DOE cleanup goals will require a strong, nationwide commitment over the next 30 years.

#### 139997

Control Gasoline Vapors From Motor Vehicles. RCED-90-21; B-236358. October 6, 1989.
Released November 15, 1989. 38 pp. plus 1 appendix (1 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-87-151, August 7, 1987, Accession Number 133903.

Air Pollution: EPA's Efforts to

Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Issue Area: Environmental Protection:

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Energy and Commerce; House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Senate Committee on Environment and Public Works; Congress; Rep. John D. Dingell. Authority: Clean Air Act. H.R. 3030 (101st Cong.). S. 1490 (101st Cong.). Abstract: Pursuant to a congressional request, GAO evaluated the Environmental Protection Agency's (EPA) efforts to control motor vehicle emissions of gasoline vapors, focusing on whether EPA: (1) could lower gasoline volatility immediately; and (2) adequately addressed concerns regarding the safety of onboard emissions controls and the feasibility of vapor recovery equipment for service station pumps. Findings/Conclusions: GAO found that: (1) in 1987, EPA proposed a two-stage reduction in gasoline volatility, with

reductions to occur in 1989 and 1992; (2) EPA required lower volatility beginning in the summer of 1989, which should result in a 3-percent reduction in hydrocarbon emissions; (3) proposed legislation would require EPA to reduce the volatility standard to the planned level by 1992; (4) EPA still needs to determine whether it should further reduce the standard, whether refiners can meet the standard by 1992, and how it will treat ethanol fuels under the standard; (5) seven states adopted the more stringent standard beginning in 1989; (6) EPA believes that onboard controls will not degrade passenger safety, but federal transportation safety agencies disagreed, contending that onboard systems would increase the complexity of fuel systems and the likelihood of vehicle fires and engine problems; and (7) while EPA believes that motor vehicle manufacturers could incorporate onboard controls within 2 years, the industry believes that it needs 4 years.

Recommendation To Congress: In considering the proposed amendments to the Clean Air Act, Congress may wish to consider directing EPA to continue efforts to resolve the safety concerns associated with onboard controls.

#### 139998

Air Pollution: Uncertainty Exists in Radon Measurements. RCED-90-25; B-236505. October 16, 1989. Released November 15, 1989. 9 pp. plus 6 appendices (40 pp.). Report to Rep. Robert A. Roe, Chairman, House Committee on Science, Space, and Technology; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-102, March 28, 1989, Accession NUmber 138288.

Issue Area: Environmental Protection: Other Issue Area Work (6891). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: House
Committee on Science, Space, and
Technology; Rep. Robert A. Roe.
Authority: Superfund Amendments and
Reauthorization Act of 1986.
Abstract: Pursuant to a congressional
request, GAO provided information
about the extent to which: (1) the
Environmental Protection Agency's
(EPA) program for assessing radon

measurement proficiency provided assurance to homeowners that radon measurement results were accurate; (2) radon measurement devices and companies analyzing those devices accurately recorded radon levels; and (3) homeowners followed EPA-recommended testing procedures.

Findings/Conclusions: GAO found that: (1) EPA established its voluntary Radon Measurement Proficiency (RMP) Program to assess the proficiency of radon measurement devices and the companies analyzing those devices; (2) research and RMP data indicated a wide variance in accuracy among radon measurement devices and the companies analyzing them; (3) such factors as highly variable and fluctuating radon concentrations, use of relatively new measurement devices, and the extent to which companies applied quality controls could account for some of the differences in radon measurement accuracy; (4) a regional EPA survey found that 85 percent of homeowners who conducted radon tests did not follow an EPA recommendation to conduct a follow-up measurement: (5) radon mitigation firms indicated that many homeowners sought mitigation actions on the basis of results of a single shortterm measurement; (6) RMP required companies to follow appropriate measurement protocols, demonstrate the ability to get measurement results to the proper homeowner, and demonstrate the ability to accurately measure radon within 25 percent of actual levels; (7) RMP did not include verification procedures to ensure that companies followed program requirements or require companies to implement quality control programs to ensure that they maintained a minimum performance level; (8) although 87 percent of devices tested under RMP during 1988 passed, firms marketed devices that did not meet RMP requirements; and (9) RMP participation increased from 40 companies in 1986 to over 700 in 1989.

#### 140018

Hazardous Waste: Contractors Should Be Accountable for Environmental Performance. RCED-90-23; B-232925. October 30, 1989.

Released November 17, 1989. 31 pp. plus 2 appendices (10 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. Ron Wyden, House Committee on Energy and Commerce; Rep. Thomas A. Luken, Chairman, House Committee on Energy and

Commerce: Transportation and Hazardous Materials Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-197BR, July 6, 1988, Accession Number 136310; T-RCED-90-14, November 17, 1989, Accession Number 140025; T-RCED-90-33, March 2, 1990, Accession Number 140822; and RCED-90-125, April 20, 1990, Accession Number 141399.

Issue Area: Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811).

Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency; Department of Defense; Department of Energy.

Congressional Relevance: House
Committee on Energy and Commerce;
House Committee on Energy and
Commerce: Transportation and
Hazardous Materials Subcommittee;
House Committee on Energy and
Commerce: Oversight and Investigations
Subcommittee; Rep. Ron Wyden; Rep.
Thomas A. Luken; Rep. John D. Dingell.
Authority: Resource Conservation and
Recovery Act of 1976. Department of
Defense Authorization Act, 1986. H.R.
2597 (101st Cong.). H.R. 1056 (101st
Cong.). Federal Managers' Financial
Integrity Act of 1982.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) and the Department of Defense's (DOD): (1) payment of contractors' penalties and associated legal costs for noncompliance with the Resource Conservation and Recovery Act (RCRA); and (2) reductions of contractors' award fees when they failed to comply with environmental regulations.

Findings/Conclusions: GAO found that: (1) DOD generally held its contractors accountable for costs resulting from RCRA violations: (2) DOD limited its payment of contractors' fines and costs to cases where the contractors requested but did not receive compliance assistance from DOD; (3) DOE believed that it was responsible for shielding its contractors from virtually all financial risks and liabilities, and generally paid its contractors' costs associated with RCRA noncompliance; and (4) DOE did not pay contractors' costs in cases of criminal behavior by the contractor's top management. GAO also found that: (1)

neither DOD nor DOE regulations or guidelines required consideration of contractors' environmental performance in award-fee determinations; (2) DOD and DOE both considered contractors' environmental performance to some extent in eight award-fee determinations GAO reviewed, with four of the determinations citing environmental performance as a distinct evaluation area; (3) DOD and DOE rated contractors' environmental performance as satisfactory or better in six of the eight determinations, although the contractors had been repeatedly cited for RCRA violations; and (4) contractors entire award fees were withheld in the other two cases, primarily due to their poor environmental management. Recommendation To Agencies: To ensure that its contractors are held accountable for charged RCRA violations and resulting costs, the Secretary of Energy should, in consultation with appropriate congressional oversight committees, initiate a rulemaking to revise the current DOE policy and practice of paying for penalties, settlement agreements, and legal costs incurred by its contractors. Recognizing that there may be limited circumstances warranting such payment, the revised policy should include criteria that detail when such payments should or should not be allowed. To help maximize awardfee contractors' incentives to comply with environmental laws and regulations, the Secretaries of Defense and Energy should initiate a rulemaking to revise DOD and DOE regulations to require all award-fee contracts to include environmental performance as a distinct evaluation area.

#### 140020

Water Resources: Problems in Managing Disposal of Material Dredged From San Francisco Bay. RCED-90-18; B-234429. November 8, 1989.

Released November 17, 1989. 47 pp. plus 4 appendices (29 pp.). Report to Rep. Barbara Boxer; Rep. George Miller; Rep. Nancy Pelosi; Rep. Fortney H. Stark; by Thomas P. McCormick, Regional Manager, Field Operations Division: Regional Office (San Francisco).

Issue Area: Natural Resources
Management: Assessing Whether Water
Resource Programs, Projects, and
Activities Are Effectively Managed to
Meet the Nation's Water Needs (6917).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Water Resources
(301.0).

Organization Concerned: Department of the Army: Corps of Engineers; Environmental Protection Agency; Department of the Army.

Congressional Relevance: Rep. Fortney H. Stark; Rep. Nancy Pelosi; Rep. George Miller; Rep. Barbara Boxer.

Authority: 40 C.F.R. 225.2. 40 C.F.R. 230. 40 C.F.R. 227.6. 40 C.F.R. 227.13. 40 C.F.R. 227.6. 40 C.F.R. 336.1(b)(8)(ii). 33 C.F.R. 326.4. 40 C.F.R. 228.9. Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1401 et seq.). River and Harbor Act of 1899 (33 U.S.C. 403). Clean Water Act of 1977 (33 U.S.C. 1251 et seq.). Environmental Policy Act of 1969 (National) (42 U.S.C. 4321 et seq.). Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.). Fish and Wildlife Coordination Act (16 U.S.C. 662). Endangered Species Act of 1973. Historic Preservation Act. Migratory Bird Treaty Act.

Abstract: Pursuant to a congressional request, GAO reviewed Corps of Engineers and Environmental Protection Agency (EPA) efforts to designate new disposal sites for dredged material in the San Francisco Bay area and ensure that environmental damage at existing ocean and bay disposal sites was within acceptable limits.

Findings/Conclusions: GAO found that: (1) the Corps has not designated needed disposal sites because it has not completed required environmental studies; (2) the Corps delayed the studies because EPA found that the Corps' 1988 feasibility study made questionable assumptions about safety in deciding not to study potential disposal sites beyond the continental shelf and included cost estimates generated by a model that had a mathematical error and several questionable factors; (3) the Corps agreed to reevaluate the geographic area for consideration, and the ocean site designation process was scheduled for completion by December 1991; (4) the delays caused the Corps to defer two projects scheduled to start in fiscal year 1988, which, according to the Corps, postponed \$31.1 million in economic benefits; (5) problems existed in biological testing guidance, the Corps' quality assurance program, inspections, and monitoring efforts, indicating that the agencies did not have adequate assurance that environmental damage at existing ocean and bay disposal sites was within acceptable levels; (6) the agencies planned to issue revised testing guidance for ocean disposal by the end of calendar year 1989; and (7) the Corps was developing a management plan, to be completed in June 1992, for dredging and disposal operations which would

detail inspection, surveillance, and monitoring programs.

Recommendation To Agencies: To prevent future delays in the process for designating ocean disposal sites, the Secretary of the Army should direct the Chief, Corps of Engineers, to: (1) evaluate alternative mechanisms for ensuring the safety of disposal operations on and off the continental shelf; and (2) review and validate the model used as the basis for cost estimates. To ensure that disposal in the ocean or bay is limited to safe material, the Administrator, EPA, and the Secretary of the Army should reach agreement on, and issue revised guidance for, the biological testing needed to predict the toxicity of contaminated dredged material. To ensure that environmental damage is within acceptable levels, the Secretary of the Army should direct the Chief. Corps of Engineers, to: (1) regularly inspect laboratories that test sediment for the Corps, expand inspections to include biological testing, and implement procedures to ensure that permittees use qualified laboratories; (2) systematically inspect permitted dredging activities and perform surveillance of disposal sites when they are being used; and (3) develop and implement monitoring programs for bay disposal sites.

#### 140025

[Contractors Should Be **Accountable for Environmental** Performance]. T-RCED-90-14. November 17, 1989. 13 pp. Testimony before the House Committee on **Energy and Commerce:** Transportation and Hazardous Materials Subcommittee; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-47, October 23, 1989, Accession Number 139806; T-RCED-90-7, October 24, 1989, Accession Number 139809; RCED-90-60FS, October 23, 1989, Accession Number 139878; and RCED-90-23, October 30, 1989, Accession Number 140018.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department

Organization Concerned: Department of Defense; Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee.

Authority: Resource Conservation and Recovery Act of 1976. H.R. 2597 (101st Cong.).

Abstract: GAO discussed Department of Energy (DOE) and Department of Defense (DOD) procedures and policies concerning: (1) their payment of contractor fines, settlement payments and legal costs incurred in noncompliance with environmental law: and (2) contractor award fee reductions for noncompliance with environmental regulations. GAO noted that: (1) with few exceptions, DOE paid contractor noncompliance fines and associated costs, while DOD held its contractors financially accountable for environmental violations; (2) DOD and DOE regulations did not require environmental compliance considerations in award fee determinations, although both agencies included environmental performance criteria to some degree; (3) DOE and DOD contractors charged with repeated violations still received satisfactory environmental performance ratings and the majority of the available award fees; and (4) proposed legislation would limit agencies' payment of contractors' noncompliance penalties and related costs, and include criteria for allowable agency payments.

#### 140041

Transportation Noise: Federal Control and Abatement Responsibilities May Need to Be Revised. RCED-90-11; B-235875. October 12, 1989.

Released November 20, 1989. 75 pp. plus 2 appendices (2 pp.). Report to Rep. James J. Florio; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-143, August 5, 1988, Accession Number 136504.

Issue Area: Environmental Protection: Other Issue Area Work (6891). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

#### **Organization Concerned:**

Environmental Protection Agency; Federal Aviation Administration; Federal Railroad Administration; Federal Highway Administration.

Congressional Relevance: House
Committee on Appropriations: VA,
HUD, and Independent Agencies
Subcommittee; House Committee on
Appropriations: Transportation
Subcommittee; House Committee on
Energy and Commerce; House
Committee on Public Works and
Transportation; Senate Committee on

Appropriations: VA, HUD, and Independent Agencies Subcommittee: Senate Committee on Appropriations: Transportation Subcommittee: Senate Committee on Commerce, Science and Transportation; Senate Committee on Environment and Public Works: Congress; Rep. James J. Florio. Authority: Airport and Airway Improvement Act of 1982. Noise Control Act of 1972. Quiet Communities Act of 1978. Aviation Safety and Noise Abatement Act of 1979. Clean Air Act. Clean Air Act Amendments of 1970. Federal Aid Highway Act of 1970. Federal Aid Highway Act of 1973. Aircraft Noise Abatement Act. Aviation Act. Environmental Policy Act of 1969 (National). Noise Control Act (California). Ass'n of American Railroads v. Costle, 562 F.2d 1310 (D.C. Cir. 1977). Baltimore & Ohio R.R. v. Oberly, 837 F.2d 108 (3rd Cir. 1988). Airport and Airways Development Act of 1970. Air Safety and Hazardous Zoning Act (New Jersey). Airline Deregulation Act of 1978. Surface Transportation Assistance Act of 1982, Federal Aviation Reg. Part 36. Federal Aviation Reg. Part 150. Abstract: Pursuant to a congressional request, GAO examined aircraft, highway, and railroad noise, focusing on the: (1) extent of the transportation noise problem; (2) status of the Environmental Protection Agency's (EPA) noise control activities and plans when it eliminated its program; and (3) current federal, state, and local noise control activities. Findings/Conclusions: GAO found that: (1) an estimated 3.2 million people lived in areas generally incompatible for residential use because of aircraft noise, and aircraft, railroad, and highway noise levels significantly interfered with sleep, conversation and relaxation in normal environments; (2) under its noise program, EPA issued noise emission standards for trucks, motorcycles, and interstate motor and rail carriers, proposed aircraft noise regulations, and assisted state and local governments in noise program development; (3) prior to eliminating its noise program, EPA planned to further lower transportation noise levels through additional regulations and more effort in assisting localities in land-use planning around transportation facilities; (4) the Federal Aviation Administration had a program that included aircraft noise standards. operating controls, and noise abatement assistance to airports, while the Federal Highway Administration required states to consider noise in planning and designing federally aided highway projects and provided funds for noise barrier construction along federal-aid

highways: (5) state and local governments could not adopt their own noise controls for equipment and operations where EPA standards remained in effect; and (6) some states did not expand their noise control offices to assist localities with noise problems. Recommendation To Congress: Congress may wish to reexamine the federal role with regard to transportation noise control and abatement. Key considerations for Congress are the extent of the transportation noise problem, local needs for assistance in dealing with them, and the cost of additional activities to carry out an increased federal role.

#### 140067

Federal Land Management: Chandler Lake Land Exchange Not in the Government's Best Interest. RCED-90-5; B-229232. October 6, 1989.

Released November 22, 1989. 35 pp. plus 6 appendices (72 pp.). Report to Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-179, September 29, 1988, Accession Number 136981; and RCED-87-9, February 5, 1987, Accession Number 132423.

Issue Area: Natural Resources

Management: Effectiveness of Policies and Procedures for Determining Federal Land Ownership Patterns (6912). Contact: Resources, Community, and Economic Development Division. **Budget Function: Natural Resources** and Environment: Conservation and Land Management (302.0). Organization Concerned: Department of the Interior; Bureau of Land Management; National Park Service: Gates of the Arctic National Park, AK; Arctic Slope Regional Corp. Congressional Relevance: House Committee on Interior and Insular Affairs; House Committee on Interior and Insular Affairs: Water and Power Resources Subcommittee; Congress; Rep. George Miller. Authority: Alaska National Interest

Authority: Alaska National Interest Lands Conservation Act (P.L. 96-487). Alaska Native Claims Settlement Act (P.L. 92-203). Barrow Gas Field Transfer Act of 1984. Land Policy and Management Act. Environmental Policy Act of 1969 (National) (42 U.S.C. 4332). Abstract: Pursuant to a congressional request, GAO reviewed the Chandler Lake exchange, which gave the Department of the Interior surface rights to Alaskan native-owned lands and gave the Alaskan native corporations subsurface rights to land within the Arctic National Wildlife Refuge (ANWR) for petroleum exploration, focusing on whether the exchange was in the government's best interest.

interest. Findings/Conclusions: GAO found that: (1) although the Chandler Lake exchange accomplished Interior objectives of consolidating federal lands and obtaining access to parklands in the national park, it was not in the government's best interest; (2) the exchange limited natives' use of allterrain vehicles (ATV) to easements along riverbeds, but they continued to use ATV throughout the lands as before and increased ATV usage in park wilderness areas; (3) the exchange gave one native corporation the right to drill the only exploratory test well within ANWR and to retain exclusive rights to the test data, resulting in its superior position in assessing ANWR oil and gas potential; (4) without the test data, the federal government has a disadvantage in estimating the oil and gas value of the ANWR subsurface and in setting sale terms for possible future leases; (5) the exchange also allowed the natives to select the unspecified 23,040 acres without acquiring Interior's approval, and they chose an area that Interior now considers to hold the highest oil and gas potential within ANWR; (6) the exchange made inapplicable the revenue-sharing provisions of the Alaska Native Claims Settlement Act, which would divide the revenues among the 12 Alaska regional corporations; and (7) Interior used its broad authority to avoid procedural requirements otherwise applicable to land exchanges, such as full public review, preparation of environmental impact statements, and disclosure of the fair market value of the land and interest exchanged. Recommendation To Congress: Congress should direct the Secretary of the Interior to develop and issue written procedures to execute land exchanges under the Alaska Native Claims Settlement and the Alaska National Interest Lands Conservation Acts. At a minimum, the procedures should require: (1) the preparation of environmental assessments or environmental impact statements, when appropriate; (2) full review by the public, state, and local governments, and other affected parties, of all aspects of the proposed exchange; (3) justification for determining whether a proposed exchange is in the public interest; and

(4) establishment and disclosure of the fair market value of the lands and interests to be exchanged.

Railroad Safety: DOT Should Better

#### 140071

Manage Its Hazardous Materials Inspection Program. RCED-90-43; B-235877. November 17, 1989. Released November 22, 1989. 37 pp. plus 2 appendices (2 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-109, April 5, 1989, Accession Number 138511; RCED-87-3, April 13, 1987, Accession Number 132655; T-RCED-90-35, February 28, 1990, Accession Number 140731; and RCED-90-140, March 27, 1990, Accession Number 141274.

Issue Area: Transportation: Assessing Administration of Federal Surface Transportation Safety Requirements (6619); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Transportation:
Ground Transportation (401.0).

Organization Concerned: Department of Transportation; Federal Railroad Administration; Department of Transportation: Research and Special Programs Administration.

Congressional Relevance: House
Committee on Government Operations;
House Committee on Appropriations:
Transportation Subcommittee; House
Committee on Energy and Commerce;
Senate Committee on Commerce, Science
and Transportation; Senate Committee
on Appropriations: Transportation
Subcommittee; Senate Committee on
Environment and Public Works; Rep.
John D. Dingell.

Authority: Railroad Safety Act of 1970 (Federal) (P.L. 91-458; 84 Stat. 971). Hazardous Materials Transportation Act (P.L. 93-633; 88 Stat. 2156). 49 C.F.R. 171.2. 49 C.F.R. 171.15. 49 C.F.R. 171.16. 49 C.F.R. 174.45, 49 C.F.R. 174.48. Paperwork Reduction Act of 1980. **Abstract:** Pursuant to a congressional request, GAO evaluated the: (1) effectiveness of the Federal Railroad Administration's (FRA) hazardous materials inspection program; and (2) extent to which the Department of Transportation's (DOT) Research and Special Programs Administration (RSPA) improved its Hazardous Materials Information System (HMIS) and established a program to register hazardous materials shippers.

Findings/Conclusions: GAO found that: (1) FRA inspectors' hazardous materials enforcement manual included outdated and contradictory inspection goals and guidance, did not describe ways for inspectors to identify and target highrisk shippers, and did not clearly delineate when inspectors should cite shippers and railroads for noncompliance or inspectors' authority to issue violations at shippers' facilities; (2) FRA did not use information available from its sources or HMIS to target inspection resources at high-risk shippers and railroad facilities; (3) FRA inspectors generally focused on inspecting individual cars carrying hazardous materials, rather than reviewing the adequacy of shippers' or railroads' safety procedures; (4) FRA lacked adequate staffing to accomplish its objective of ensuring that shippers and railroads complied with RSPA regulations; (5) FRA cited budget restrictions as the primary reason for not actively seeking to fill six position vacancies or adding more positions; (6) FRA has not sought statutory authority to certify state inspectors to participate in its hazardous materials inspection program, although some states have adopted federal standards and shown an interest in assisting FRA; (7) HMIS did not include data about 23 of 96 railroad hazardous materials releases GAO reviewed; and (8) RSPA did not require shippers to submit reports of hazardous materials releases, require postinvestigation report updates, share accident and enforcement data with other agencies, or require major hazardous materials shippers to register. Recommendation To Agencies: The Secretary of Transportation should direct the Administrator, FRA, to update the enforcement manual to: (1) provide consistent guidance, including agencywide goals and objectives; and (2) clarify inspectors' authority to write violations at shipper facilities before rail cars are transferred to railroads for transportation. The Secretary of Transportation should direct the Administrator, FRA, to establish a new inspection approach that: (1) includes identifying high-risk shippers and railroads, and targets them for inspection; and (2) emphasizes concentrating on reviewing safety procedures and secondarily inspecting tank cars. The Secretary of Transportation should direct the Administrator, FRA, to initiate a study of the staffing needs for realistic program implementation, considering the changes in objectives and procedures developed as a result of the recommendations in this report. The

Secretary of Transportation should direct the Administrator, FRA, to perform a comprehensive survey of states with railroad inspection programs to determine the degree of interest in allowing state inspectors to perform hazardous materials inspections. If so indicated by the results, DOT should request legislative changes that would authorize state participation in the federal hazardous materials inspection program. The Secretary of Transportation should direct the Administrator, RSPA, to improve the completeness of the hazardous materials incident reporting system by requiring that hazardous materials incident reports be submitted by all firms, such as shippers, involved with any aspect of transportation as defined in the Hazardous Materials Transportation Act. The Secretary of Transportation should direct the Administrator, RSPA, to improve the completeness of the hazardous materials incident reporting system by establishing a procedure to routinely compare HMIS data with similar data in other systems, such as FRA data on railroad accidents involving hazardous materials releases. This would: (1) improve the accuracy and completeness of HMIS data; and (2) identify nonreporters. Where nonreporters are identified, appropriate enforcement action should be taken. The Secretary of Transportation should direct the Administrator, RSPA, to improve the completeness of the hazardous materials incident reporting system by requiring reporters of hazardous materials incidents to submit revised incident reports if significant changes occur in previously submitted reports. The Secretary of Transportation should direct the Administrator, RSPA, to follow through on a 1980 GAO recommendation to establish a mandatory registration program for hazardous materials shippers.

# 140119

Coast Guard: Adequacy of Preparation and Response to Exxon Valdez Oil Spill. RCED-90-44; B-236137. October 30, 1989.

Released November 29, 1989. 7 pp. plus 2 appendices (13 pp.). Report to Rep. Walter B. Jones, Chairman, House Committee on Merchant Marine and Fisheries; Rep. Robert W. Davis, Ranking Minority Member, House Committee on Merchant Marine and Fisheries; Rep. W.J. (Billy) Tauzin, Chairman, House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee; Rep. Don Young, House Committee on

Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee; Sen. Frank R. Lautenberg, Chairman, Senate Committee on Appropriations: Transportation and Related Agencies Subcommittee; Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Rep. George Miller, Chairman, House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-89-59, August 10, 1989, Accession Number 139289; RCED-90-83, January 26, 1990, Accession Number 140533; and IMTEC-90-32, April 24, 1990, Accession Number 141250.

Issue Area: Transportation: Assessing How Effectively and Efficiently the Coast Guard Manages Its Diverse Missions (6623); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Transportation: Water Transportation (403.0).

Organization Concerned: Exxon Corp.; Alyeska Pipeline Service Co.; United States Coast Guard; Alaska.

Congressional Relevance: House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee: House Committee on Interior and Insular Affairs; House Committee on Appropriations: Transportation Subcommittee: House Committee on Merchant Marine and Fisheries: Coast Guard and Navigation Subcommittee; Senate Committee on Energy and Natural Resources; Senate Committee on Appropriations: Transportation Subcommittee; Senate Committee on Commerce, Science and Transportation; Congress; Rep. George Miller; Rep. Don Young; Rep. W.J. (Billy) Tauzin; Rep. Robert W. Davis; Rep. Walter B. Jones; Sen. J. Bennett Johnston; Sen. Frank R. Lautenberg.

Authority: Clean Water Act of 1977. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. 40 C.F.R. 300.

Abstract: Pursuant to a congressional request, GAO: (1) evaluated the oil industry's and the federal government's preparedness for responding to a March 1989 spill of over 10 million gallons of crude oil in Prince William Sound, Alaska; and (2) examined industry and government measures that could prevent future spills.

Findings/Conclusions: GAO found that: (1) the firm operating the vessel targeted its oil spill response plan for spills that accounted for less than 1 percent of the amount spilled in March 1989; (2) equipment breakdowns and weather and water conditions hampered recovery efforts: (3) current recovery and response technology was not adequate for addressing such large spills as the March 1989 incident and had not significantly changed over the last 2 decades due to substantial cuts in federal funding for research and development: (4) although Alaska required the firm operating the vessel to have a spill response plan, other states did not require such plans; (5) the Coast Guard believed that it had authority to monitor spill response and assume partial or total control over response, but lacked authority to ensure the adequacy of response plans before accidents occurred; (6) the federal and state governments widely varied in their use of such oil spill prevention methods as monitoring and directing ship movement, using harbor pilot or tug escort assistance, licensing, and industry training procedures; (7) over the past 20 years, there has been an average of 80 accidents a year involving about 900 tankers transporting other types of hazardous cargo: (8) funding sources for increased prevention efforts included direct industry funding, user fees, and direct appropriations; and (9) there was no single entity or leader responsible for developing, monitoring, or enforcing oil spill prevention and response methods. Recommendation To Congress: To help ensure that an effective course of action is developed for improving the nation's capabilities for preventing and responding to oil and other hazardous cargo spills, Congress may wish to consider legislation designating a single entity or leader for developing an action plan. Alternatives for filling this role include a federal agency, such as the Coast Guard, or commission comprised of representatives from industry, federal agencies, states, and other groups that play key roles in spill prevention and response. To help ensure that sufficient funds are available to support improved prevention and response capabilities, Congress may wish to consider establishing a fund, or modifying existing funds, to finance the improvements. Funding options include allowing direct industry funding, user fees such as a per-barrel tax on oil, direct appropriations, or a combination of those three options. Because the Coast Guard does not now believe that it has the necessary authority to ensure that adequate response preparations have

been made, Congress may wish to consider providing the Coast Guard with explicit authority to carry out its role. Congress may also wish to consider allowing the Coast Guard to delegate this responsibility to states demonstrating an ability to effectively carry out this role.

#### 140185

Nuclear Waste: Quarterly Report on DOE's Nuclear Waste Program as of June 30, 1989. RCED-90-59; B-202377. December 12, 1989. 6 pp. plus 4 appendices (18 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-178, August 14, 1989. Accession Number 139315: RCED-89-66, February 6, 1989, Accession Number 138088; and RCED-89-148, May 22, 1989, Accession Number 138692.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Department of Energy: Office of the Inspector General; Bechtel Systems Management, Inc.; AT&T Technologies, Inc.; Department of Energy: Sandia National Laboratory; TRW Environmental Safety Systems, Inc.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston.

Authority: Nuclear Waste Policy Act of 1982. Nuclear Waste Policy Amendments Act of 1987. 42 U.S.C. 7216.

Abstract: Pursuant to a congressional request, GAO provided its quarterly status report on the Department of Energy's (DOE) implementation of the Nuclear Waste Policy Act of 1982, focusing on: (1) changes in waste program contracting patterns since enactment of 1987 amendments; (2) the status of a legal challenge to the selection of the waste program's management and operating (M&O)

contractor; and (3) concerns about DOE management of M&O contracts. Findings/Conclusions: GAO found that: (1) the number of active waste program contracts decreased from 203 to 80; (2) the cumulative costs for all nuclear waste program contracts totalled about \$1.9 billion, of which \$654 million was for Yucca Mountain Project contracts; (3) Yucca Mountain contract costs increased 67 percent, while other nuclear waste contract costs increased only 28 percent; (4) an unsuccessful bidder filed a preaward protest against the DOE M&O contract and the court granted a permanent injunction that restrained DOE from awarding a contract to any bidder other than the protester because DOE violated conflict-of-interest statutes: (5) DOE issued a report on its policy to indemnify its M&O contractors except for unallowable costs, losses resulting from willful misconduct, and fines on activities outside the scope of work; (6) one DOE contractor provided the most comprehensive indemnification of any M&O contractor, but its contract did not require that allowable costs be reasonable; and (7) DOE instituted a new procedure that required approval for all projects exceeding \$25 million to ensure compliance with new accountability and oversight guidelines.

## 140193

Nuclear Waste: DOE's Program to Prepare High-Level Radioactive Waste for Final Disposal. RCED-90-46FS; B-231294. November 9, 1989. Released December 14, 1989. 35 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Keith O. Fultz, Director, Planning and Reporting, Resources, Community, and Economic Development Division. Refer to RCED-89-157, July 18, 1989, Accession Number 139211.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0)

Organization Concerned: Department of Energy; Department of Energy: Idaho National Engineering Laboratory.

Congressional Relevance: House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; Rep. Michael
L. Synar.

Authority: West Valley Demonstration Project Act (P.L. 96-368).

Abstract: Pursuant to a congressional request, GAO provided information on the Department of Energy's (DOE) four high-level radioactive waste immobilization sites.

Findings/Conclusions: GAO found that: (1) the four sites stored an estimated total of 95 million gallons of waste in underground tanks; (2) DOE estimated \$13 billion in processing, immobilization and storage costs; (3) complete waste immobilization could take 2 to 17 years; (4) the Savannah River immobilization facility was 2 years behind the 1983 projected schedule, but current costs corresponded with 1984 cost estimates; (5) although the West Valley immobilization project was 8 years behind its 1984 schedule, and the \$1.1billion cost estimate was almost double the 1984 estimate, a proposed 5-year plan could reduce costs by about \$890 million; (6) the estimated 2008 Hanford facility completion date was questionable, because waste immobilization needs were uncertain and defense activities were expected to end; (7) DOE had not yet determined the Idaho National Engineering Laboratory's (INEL) immobilization technology, since the facility was still in the early planning stages; and (8) because DOE will begin immobilization before a planned repository is completed, all the sites except INEL will initially store their waste on site.

## 140228

Air Pollution: National Air Monitoring Network Is Inadequate. RCED-90-15; B-220184. November 2, 1989.

Released December 20, 1989. 48 pp. plus 1 appendix (1 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Environmental Protection: Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee: House Committee on Government Operations: Environment, **Energy and Natural Resources** Subcommittee; Rep. John D. Dingell; Rep. Michael L. Synar. Authority: 40 C.F.R. 58. Clean Air Act. Clean Air Act Amendments of 1977. Abstract: Pursuant to a congressional request, GAO reviewed the Environmental Protection Agency's (EPA) efforts to collect and report complete, accurate, and reliable air monitoring data, focusing on: (1) EPA progress in establishing a national monitoring network; (2) the condition of air monitoring equipment; and (3) the effectiveness of EPA quality assurance measures.

Findings/Conclusions: GAO found that EPA: (1) did not meet its own requirements to have a national air monitoring network in place by July 1982; (2) attributed the delay in network completion to its uncertainty about requiring state and local agencies to expand their networks and to insufficient federal, state, and local funds; (3) needed 42 more monitors to complete its network, although population changes could indicate the need for additional monitors; (4) lacked an overall plan to identify and meet equipment replacement needs, although 68 percent of the monitors were over 7 years old, their estimated useful life; (5) relied on state and local agencies to make it aware of equipment needs; (6) estimated that it would cost \$7.1 million to replace aging monitoring equipment; (7) lacked an overall plan for helping states implement alternative funding programs for monitoring efforts; (8) inconsistently conducted biannual reviews and annual accuracy tests of monitors; (9) did not ensure that agencies provided valid, reliable monitoring data; and (10) allowed state and local agencies to select the monitors to be tested for accuracy.

Recommendation To Agencies: In order to increase EPA assurance that air monitoring networks produce monitoring data that are as accurate, complete, and representative as possible, the Administrator, EPA, should consider revising EPA criteria regarding the number and location of monitors in the national and state and local air monitoring networks. Specific attention should be given to either reducing the minimum population requirements for National Air Monitoring Stations (NAMS) monitors or establishing criteria

requiring monitors in cities with populations too small to require NAMS monitors but which are experiencing, or have the potential for, significant pollution problems. In order to increase EPA assurance that air monitoring networks produce monitoring data that are as accurate, complete, and representative as possible, the Administrator, EPA, should develop a strategy for completing the national monitoring network, meeting future monitoring needs, and replacing aging monitoring equipment. As part of its strategy, EPA should work with state and local agencies to identify opportunities through existing Clean Air Act provisions, such as collecting permit fees, or through alternative sources, such as Florida's license fee assessments, to generate additional funds to purchase needed monitors. In view of the importance of EPA quality control measures and to ensure that EPA managers realize the full potential of these measures, the Administrator, EPA, should direct EPA regional offices to comply with EPA requirements to audit all state and local monitoring agencies at least once every 2 years and to complete the audits in accordance with EPA guidance on site inspections, data reviews, and identification of corrective actions. In view of the importance of EPA quality control measures and to ensure that EPA managers realize the full potential of these measures, the Administrator, EPA, should direct the Director of the Atmospheric Research Exposure and Assessment Laboratory to systematically select monitors for inclusion in the National Performance Audit Program and require all state and local agencies to participate in the program. In view of the importance of EPA quality control measures and to ensure that EPA managers realize the full potential of these measures, the Administrator, EPA, should direct the Director of the Office of Air Quality Planning and Standards to clarify EPA guidance to state and local agencies on how the agencies are to use Precision and Accuracy Reporting Systems results for validating air monitoring data.

#### 140249

Hazardous Waste: Attention to DOD Inventories of Hazardous Materials Needed. NSIAD-90-11; B-213706. November 6, 1989.
Released December 22, 1989. 22 pp. plus 8 appendices (10 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Vic Fazio,

Chairman, House Committee on Appropriations: Legislative Subcommittee; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs Division. Refer to NSIAD-89-35, February 7, 1989, Accession Number 138089; and T-NSIAD-90-15, February 13, 1990, Accession Number 140601.

Issue Area: Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811); Air Force: Other Issue Area Work (5491). Contact: National Security and

International Affairs Division.

Budget Function: National Defense:
Defense-Related Activities (054.0).

Organization Concerned: Department of Defense; General Services
Administration; Defense Logistics
Agency; Department of the Air Force;
Department of the Army; Department of the Navy.

Congressional Relevance: House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; House
Committee on Appropriations:
Legislative Subcommittee; Rep. Michael
L. Synar; Rep. Vic Fazio.
Authority: Hazardous and Solid Waste

Authority: Hazardous and Solid Waste Amendments of 1984. Property and Administrative Services Act. Resource Conservation and Recovery Act of 1976. Abstract: Pursuant to a congressional request, GAO reviewed: (1) Department of Defense (DOD) efforts to minimize hazardous waste generation through hazardous materials inventory controls; and (2) Defense Logistics Agency (DLA) and General Services Administration (GSA) efforts as DOD purchasing agencies.

Findings/Conclusions: GAO found that 40 percent of hazardous materials designated for disposal was unused, because: (1) lengthy storage periods consumed shelf life before delivery to users; (2) the DLA direct delivery program was designed to eliminate storage time only for nonhazardous materials; (3) supply depot officials were issuing newer materials before older materials and permitting exceptions to DOD usage policy based on nonhazardous material use; (4) supply officials were not consistently evaluating hazardous materials to determine possible shelf-life extension; and (5) DOD lacked special inventory procedures for managing hazardous waste materials. GAO also found that GSA was considering expansion of its direct deliveries to include 200 additional hazardous materials with short shelf lives.

Recommendation To Agencies: The Secretary of Defense should issue instructions to each service to provide special attention to inventory management procedures for hazardous materials that will minimize the generation of hazardous waste from hazardous material inventories. These instructions should include directing DLA and GSA, through the memorandum of agreement between DOD and GSA, to make greater use of direct delivery contracts for hazardous materials with short shelf life. The Secretary of Defense should issue instructions to each service to provide special attention to inventory management procedures for hazardous materials that will minimize the generation of hazardous waste from hazardous material inventories. These instructions should include directing supply organizations to make greater use of first-in first-out issue procedures for hazardous waste materials with shelf life and to discourage exceptions to this policy. The Secretary of Defense should issue instructions to each service to provide special attention to inventory management procedures for hazardous materials that will minimize the generation of hazardous waste from hazardous material inventories. These instructions should include directing supply depots and installations to consistently evaluate the condition of hazardous materials through periodic testing or inspecting of hazardous materials before sending them to the disposal process.

## 140251

Nuclear Materials: Information on DOE's Replacement Tritium Facility. RCED-90-54; B-237571. November 22, 1989.

Released December 22, 1989. 6 pp. plus 1 appendix (1 pp.). Report to Sen. J. James Exon, Chairman, Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee; Sen. Sam Nunn, Chairman, Senate Committee on Armed Services; by Keith O. Fultz, Director, Planning and Reporting, Resources, Community, and Economic Development Division.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy.

Congressional Relevance: Senate Committee on Armed Services: Strategic Forces and Nuclear Deterrence Subcommittee; Senate Committee on Armed Services; Sen. J. James Exon; Sen. Sam Nunn.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) plans to complete and operate its replacement tritium facility, focusing on: (1) how the facility would correct the present facility's shortcomings; and (2) why estimated costs for construction and start-up have greatly increased since the project began in 1986.

Findings/Conclusions: GAO found that: (1) the new facility will increase workload capacity, provide greater resistance to natural hazards and sabotage, and greatly reduce tritium releases; (2) construction costs increased by 20 percent, from \$120 million to \$144 million, and start-up costs increased by 350 percent, from \$17 million to \$62 million; (3) DOE attributed the construction cost increases to greater DOE quality assurance, fire protection, and security requirements, underestimated design and construction costs, and increases in the cost of such materials as stainless steel; and (4) DOE attributed the increased start-up costs to more stringent safety standards and corrections of errors it made in earlier estimates due to inexperience in making estimates for such a unique facility.

## 140292

Reports and Testimony: November 1989. November 1989. 56 pp.

Contact: Office of Public Affairs.

Organization Concerned: Government-Wide.

**Abstract:** GAO published its monthly digest of reports and testimonies issued in November 1989.

## 140369

Nuclear Waste: Storage Issues at **DOE's Waste Isolation Pilot Plant** in New Mexico. RCED-90-1; B-202377. December 8, 1989. Released January 12, 1990. 47 pp. plus 2 appendices (9 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-88-63, September 13, 1988, Accession Number 136759; and T-RCED-89-50, June 12, 1989, Accession Number 138838.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy (270.0). Organization Concerned: Department of Energy; Environmental Protection Agency; Department of the Interior; National Academy of Sciences. Congressional Relevance: House Committee on Government Operations; House Committee on Interior and Insular Affairs; House Committee on Appropriations: Defense Subcommittee; House Committee on Armed Services: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Energy and Natural Resources; Senate Committee on Appropriations: Defense Subcommittee; Senate Committee on Armed Services; Congress; Rep. Michael L. Synar. Authority: Energy Reorganization Act of 1974. Department of Energy, National Security and Military Applications of Nuclear Energy Authorization Act, 1980 (P.L. 96-164). Resource Conservation and Recovery Act of 1976. Land Policy and Management Act. 40 C.F.R. 191. Nuclear Waste Policy Act of 1982. P.L. 100-203. B-221801.3 (1989). Safe Drinking Water Act.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) 5-year program for demonstrating its Waste Isolation Pilot Plant's (WIPP) capacity for safe disposal of transuranic (TRU) wastes produced by DOE atomic energy defense activities. Findings/Conclusions: GAO found that: (1) DOE established the 5-year test program to help determine WIPP compliance with 1985 Environmental Protection Agency (EPA) standards by conducting experiments involving brine seepage, gas generation, and other technical issues; (2) pursuant to a court order, EPA planned to issue revised standards in 1991; (3) DOE also planned to demonstrate safe waste handling, transport, and storage operations by storing 18,300 drums over 3 years, beginning in 1990; (4) DOE would have to remove or rehandle wastes it stored under the demonstration program if it determined that WIPP did not meet compliance standards; (5) the National Academy of Sciences (NAS) recommended that DOE address such issues as waste disposition contingencies, merits of early storage, noncompliance risks, and technical justification for experiments, before starting the demonstration program; (6) early waste storage at WIPP would enable DOE to

begin removing wastes from its aging defense facilities, most of which had limited storage space; (7) two states opposed additional storage at their defense facilities and sought prompt removal of existing wastes; (8) although DOE had not issued its test plan in final form, NAS agreed that the proposed experiments on gas generation should begin without delay; and (9) DOE was seeking legislation to permanently withdraw the WIPP site from public use and authorize waste storage.

Recommendation To Congress: If DOE adopts the GAO recommendations, Congress should consider the material that DOE provides in deciding on the future of WIPP. If DOE does not accept the recommendations, Congress may wish to require DOE to provide it with such material. Congress may wish to include a provision in land withdrawal legislation that would specify the amount of TRU wastes DOE can store in WIPP before determining that the facility complies with EPA disposal standards. Congress may wish to make permanent land withdrawal conditional upon a positive determination of compliance.

Recommendation To Agencies: To ensure that Congress has relevant information to decide on the DOE request for authority to store TRU wastes in WIPP for demonstration purposes, the Secretary of Energy should analyze and report to Congress on the technical justification for storing TRU wastes in WIPP, and the quantity of such wastes, in advance of determining if the facility can be used as a repository. To ensure that Congress has relevant information to decide on the DOE request for authority to store TRU wastes in WIPP for demonstration purposes, the Secretary of Energy should analyze and report to Congress on contingency plans for the disposition of any TRU waste stored in WIPP in the event that DOE eventually determines that the facility, as currently designed, does not meet EPA disposal standards. To ensure that Congress has relevant information to decide on the DOE request for authority to store TRU wastes in WIPP for demonstration purposes, the Secretary of Energy should analyze and report to Congress on options for continued temporary storage of TRU waste at other DOE defense facilities while DOE is completing its assessment of WIPP compliance with EPA standards.

#### 140380

Wastepaper Recycling: Programs of Civil Agencies Waned During the

1980s. GGD-90-3; B-232827. December 15, 1989.

Released January 16, 1990. 44 pp. plus 5 appendices (20 pp.). Report to Sen. Jim Sasser, Chairman, Senate Committee on Governmental Affairs: General Services. Federalism, and the District of Columbia Subcommittee; Rep. Edward R. Roybal. Chairman, House Committee on Appropriations: Treasury-Postal Service and General Government Subcommittee: by L. Nye Stevens, Director, Government Business Operations Issues, General Government Division. Refer to EMD-81-7, December 5, 1980, Accession Number 114058; RCED-87-27, December 23, 1986, Accession Number 537655; and PLRD-81-48, July 31, 1981, Accession Number 115939.

Issue Area: Government and Business Operations: Assessing Whether the Federal Government Can Acquire Facilities, Goods, and Services To Most Effectively Support Its Essential Activities (8001).

Contact: General Government Division. Budget Function: General Government: Executive Direction and Management (802.0).

#### **Organization Concerned:**

Environmental Protection Agency; General Services Administration; Office of Federal Procurement Policy; Government-Wide.

Congressional Relevance: House Committee on Appropriations: Treasury-Postal Service and General Government Subcommittee; Senate Committee on Governmental Affairs: General Services, Federalism, and the District of Columbia Subcommittee; Congress; Rep. Edward R. Roybal; Sen. Jim Sasser.

Authority: Resource Conservation and Recovery Act of 1976. Resource Recovery Act of 1970. Solid Waste Disposal Act. Executive Order 11752. 40 C.F.R. 246. Privacy Act of 1974.

Abstract: Pursuant to a congressional request, GAO examined various aspects of federal agencies' wastepaper recycling activities, focusing on: (1) the extent to which agencies implemented a legislative mandate to encourage wastepaper recovery and establish recycling programs; (2) the causes of agencies' shortcomings in implementing those responsibilities; and (3) obstacles to expanding federal recycling efforts. Findings/Conclusions: GAO found that: (1) most federal agencies did not have wastepaper recovery programs and had not conducted the required analyses to justify the absence of such programs; (2) most General Services Administration (GSA) regional offices were trashing wastepaper rather than selling it for

recycling purposes; (3) the governmentwide wastepaper recycling program that GSA and the Environmental Protection Agency (EPA) initiated in response to the legislative mandate was adversely affected by budget cuts, lack of aggressive management and monitoring, poor contract administration, and employee apathy; (4) EPA did not issue guidelines for the procurement of recycled paper until a lawsuit forced the issuance of the guidelines; (5) although the Office of Federal Procurement Policy (OFPP) was required to report biennially to Congress on agencies' progress in implementing guidelines, it had only submitted two such reports since 1981; and (6) obstacles to agencies' establishment, maintenance, and expansion of recycling programs included the widespread perception that such programs were not cost-effective, lack of adequate storage space to hold accumulated wastepaper, and program costs.

Recommendation To Congress: Congress may contribute to an increase in recycling in federal facilities by alleviating the cost burden of those programs. An appropriate step Congress could take would be to ensure that agencies involved in recycling efforts are able to receive the income from the sale of their wastepaper for future use in their recycling programs. Recommendation To Agencies: The Administrator, EPA, should assist agencies in determining whether separation of wastepaper is a viable action for their operations. This should include: (1) identifying those agencies located in areas of the country having the greatest potential for successful programs; and (2) providing better guidance to help those agencies determine the amount of high-grade wastepaper they can produce, the existence of a market for the paper, the state and local requirements for paper separation that exist, and costs of alternative trash disposal. The Administrator, EPA, should define the term unreasonably high cost, balancing the additional cost to the government against disposal fees and the environmental benefits of recycling the paper, such as conservation of landfill space and natural resources. The Administrator, EPA, should work closely with and assist OFPP in preparing the biennial report to Congress on the progress agencies are making in implementing the guideline for the procurement of recycled paper. The Administrator of General Services should take steps to strengthen controls over the process of awarding and administering wastepaper sales contracts to optimize proceeds and thereby encourage agencies to increase participation in wastepaper recycling.

#### 140414

Reports and Testimony: December 1989. December 1989. 25 pp.

Contact: Office of Public Affairs.

Organization Concerned: Government-Wide.

Abstract: GAO published its monthly digest of reports and testimonies issued in December 1989.

#### 140427

Superfund: A More Vigorous and **Better Managed Enforcement** Program Is Needed. RCED-90-22; B-226922. December 14, 1989. Released January 23, 1990. 87 pp. plus 2 appendices (10 pp.). Report to Sen. Frank R. Lautenberg, Chairman, Senate Committee on Environment and Public Works: Superfund, Ocean and Water Protection Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-40BR, October 12, 1988, Accession Number 137286; RCED-88-115, July 19, 1988, Accession Number 136383; T-RCED-88-46, June 20, 1988, Accession Number 136109; RCED-88-101, August 16, 1988, Accession Number 136581; and RCED-88-1, October 26, 1987, Accession Number 134238.

Issue Area: Environmental Protection: Assessing Effectiveness and Efficiency of the Use of Superfund Resources (6813). Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: House
Committee on Appropriations: HUDIndependent Agencies Subcommittee;
House Committee on Energy and
Commerce; Senate Committee on
Appropriations: HUD-Independent
Agencies Subcommittee; Senate
Committee on Environment and Public
Works; Senate Committee on
Environment and Public Works:
Superfund, Ocean and Water Protection
Subcommittee; Congress; Sen. Frank R.
Lautenberg.

Authority: Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Superfund Amendments and Reauthorization Act of 1986. Resource Conservation and Recovery Act of 1976. United States v.

Conservation Chemical Co., 619 F. Supp. 162 (W.D. Mo. 1985). United States v. Wade, 546 F. Supp. 785 (E.D. Pa. 1982). United States v. Northernaire Plating Co., 685 F. Supp. 1410 (W.D. Mich. 1988). Abstract: Pursuant to a congressional request, GAO reviewed the Environmental Protection Agency's (EPA) enforcement of the Superfund program, focusing on: (1) its process for identifying liable and financially viable parties to hold responsible for cleaning up Superfund sites; (2) enforcement tools, including negotiations, unilateral administrative orders, and mixed funding and de minimis settlements; and (3) recovery of site cleanup costs. Findings/Conclusions: GAO found that: (1) although the program's success depended largely on finding the liable parties to fund the cleanups, EPA had not found the liable parties for one-third of the sites ready for cleanup; (2) many of the searches were incomplete because of data collection deficiencies and poorly conducted interviews; (3) although EPA took some corrective actions, it needed to keep better track of responsible party information, systematically identify searches needing to be redone, and promote a toll-free hot line for reporting the identity of suspected responsible parties; (4) search delays due to staff shortages have hampered EPA efforts to find responsible parties willing to finance cleanups; (5) EPA used administrative orders only sparingly to force action or close lengthy negotiations; (6) a legislative requirement that orders were only enforceable upon demonstration of imminent and substantial endangerment was a barrier to EPA use of administrative orders; (7) EPA had collected only 35 percent of the costs it hoped to recover by 1991, because it considered cost recovery a low priority; (8) EPA regions issued letters demanding payment from 4 to 18 months late, which cost the government interest income and reduced the program's credibility; (9) EPA excluded various indirect costs totalling \$800 million from its definition of recoverable costs; (10) EPA cost recovery actions remained uncertain because legislation did not specifically authorize recovery of indirect costs and court actions on the issue were inconsistent; and (11) although EPA planned greater program enforcement, staffing constraints contributed to many of the problems. Recommendation To Congress: Congress may want to consider what purposes are being served by the imminent and substantial endangerment requirement

and, if appropriate, it may want to

repeal the requirement. As an alternative, it may want to consider substituting in the place of the "imminent and substantial" requirement, a requirement that there only need be a release or threat of release of a hazardous substance in order to facilitate EPA issuance and enforcement of orders for the cleanup of Superfund sites. To help EPA in its cost recovery efforts, Congress may want to amend section 107 to specifically authorize the recovery of Superfund's indirect costs. Additionally, Congress may wish to identify the kinds of indirect costs that EPA should seek to recover when recovering response action costs from liable potentially responsible parties (PRP).

Recommendation To Agencies: To further improve the PRP search process. the Administrator, EPA, should provide its regions with criteria (policies and procedures) for identifying previously completed (older) PRP searches that should be redone, and set up controls to ensure that those identified as such are redone. To further improve the PRP search process, the Administrator, EPA, should provide a toll-free hotline telephone number for the general public to use to report the identity of PRP suspected of being involved at hazardous waste sites and freely publicize its availability. To further improve the PRP search process, the Administrator, EPA, should ensure that its regions have an adequate information system in place for tracking and monitoring information request letter activities. To further improve the PRP search process, the Administrator, EPA, should determine whether the National Enforcement Investigations Center is more economical and effective than PRP search contractors in providing financial research and assessments and, if so, seek ways to optimize the use of this resource. To provide a systematic planning process to guide its initiatives for improving the management of the Superfund program, particularly its enforcement activities, the Administrator, EPA, should establish long-term measurable goals for achieving the objectives set forth in the Administrator's June 1989 report and use those goals to tie various EPA enforcement plans and strategies together. To provide a systematic planning process to guide its initiatives for improving the management of the Superfund program, particularly its enforcement activities, the Administrator, EPA, should identify the resources required to meet the long-term measurable goals of the Superfund enforcement program. To provide a systematic planning process to guide its

initiatives for improving the management of the Superfund program, particularly its enforcement activities, the Administrator, EPA, should communicate these results to Congress and the public and provide them with periodic progress reports in meeting goals and objectives. To improve the recovery of cleanup costs from PRP, the Administrator, EPA, should provide sufficient staff resources, if costbeneficial, to address its backlog of cost recovery cases. In implementing this recommendation, EPA should consider using productivity measures.

#### 140445

Air Pollution: Improved Atmospheric Model Should Help Focus Acid Rain Debate. RCED-90-14; B-226428. November 3, 1989. Released January 25, 1990. 44 pp. plus 3 appendices (4 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to EMD-81-131, September 11, 1981, Accession Number 116306; RCED-85-13, December 11, 1984, Accession Number 125835; RCED-86-7, December 17, 1985, Accession Number 129175; RCED-87-89, April 29, 1987, Accession Number 133051; and RCED-88-32, December 7, 1987. Accession Number 134872.

Issue Area: Environmental Protection:
Assessing EPA's Protection of Public
Health and the Environment From
Criteria Air Pollutants (6814).
Contact: Resources, Community, and
Economic Development Division.
Budget Function: Natural Resources
and Environment: Pollution Control and

Abatement (304.0).

Organization Concerned:
Environmental Protection Agency;
Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Acid Precipitation Act of 1980. Energy Security Act (P.L. 96-294). Clean Air Act.

Abstract: Pursuant to a congressional request, GAO reviewed the National Acid Precipitation Assessment Program's (NAPAP) progress in developing, applying, and evaluating the Regional Acid Deposition Model (RADM).

Findings/Conclusions: GAO found that: (1) although NAPAP completed RADM developmental work 2 years beyond its

original target date, the delay did not affect the final assessment, since other portions of the assessment were incomplete and the project became more complicated than initially envisioned; (2) a disagreement between the Environmental Protection Agency (EPA) and the Department of Energy (DOE) over the extent to which the utility industry would adopt clean coal technologies delayed agreement on the emissions projections needed as input for future emissions analyses, resulting in a 10-week delay in the RADM applications schedule; (3) NAPAP officials planned to incorporate RADM-assisted analyses in their assessment, since the model had already undergone significant testing and showed major improvements for regional modelling; (4) unlike earlier models, RADM accounted for such atmospheric complexities as chemical conversion of sulphur and nitrogen dioxides to acidic compounds; (5) RADM should estimate with greater accuracy than previous models the changes in acidic deposition resulting from various levels of emissions reductions; (6) because RADM should depict interactions among different atmospheric pollutants, it should assist policymakers in deciding whether and where to concentrate controls and in avoiding inadvertently worsening one pollution problem while trying to control another; and (7) although the EPA-DOE impasse over future emission estimates caused uncertainty over the inclusion of these studies in the assessment, current congressional proposals to control acidic deposition could proceed without the assessment without risking excessive or unnecessary control actions.

## 140532

141336.

Global Warming: Administration Approach Cautious Pending Validation of Threat. NSIAD-90-63; B-236128. January 8, 1990. Released February 5, 1990. 34 pp. plus 3 appendices (9 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs Division. Refer to T-RCED-90-26, February 8, 1990, Accession Number 140565; and RCED-90-74BR, March 5, 1990, Accession Number

Issue Area: Foreign Economic Assistance: Other Issue Area Work (6291); Environmental Protection: Other Issue Area Work (6891). Contact: National Security and International Affairs Division. Budget Function: International Affairs: Foreign Information and Exchange Activities (154.0).

Organization Concerned: Executive Office of the President.

Congressional Relevance: House
Committee on Energy and Commerce:
Oversight and Investigations
Subcommittee; Rep. John D. Dingell.
Authority: Global Climate Protection
Act of 1987. Foreign Relations
Authorization Act, Fiscal Years 19881989 (P.L. 100-204). Executive Order
12114. Science and Technology Policy,
Organization, and Priorities Act (P.L. 94282). Climate Program Act (P.L. 95-367).
Environmental Policy Act of 1969
(National) (P.L. 91-190).

Abstract: Pursuant to a congressional request, GAO reviewed the adequacy of coordination and extent of federal agencies' participation in encouraging an international response to the problem of global climate change.

Findings/Conclusions: GAO found that: (1) the administration did not establish a coordinated national policy to guide federal efforts related to global climate change; (2) the President did not designate any individual or agency to assume overall leadership or management responsibility for global climate change activities; (3) in the absence of executive direction, agencies conducted climate change research activities without effective central and strategic planning and without full use of existing policy structures and resources; and (4) despite indications that it was ready to act and give high priority to the global warming threat, the administration has continued to emphasize the need for further research and has not agreed to specific targets and timetables for reducing and controlling greenhouse gas emissions.

## 140533

Coast Guard: Preparation and Response for Oil Spills in Philadelphia and New York Ports. RCED-90-83; B-236137.5. January 26, 1990.

Released February 5, 1990. 12 pp. plus 3 appendices (7 pp.). Report to Sen. Frank R. Lautenberg, Chairman, Senate Committee on Appropriations: Transportation and Related Agencies Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-90-44, October 30, 1989, Accession Number 140119; and IMTEC-90-32, April 24, 1990, Accession Number 141250.

Issue Area: Transportation: Assessing How Effectively and Efficiently the Coast Guard Manages Its Diverse Missions (6623); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Transportation: Water Transportation (403.0).

Organization Concerned: United States Coast Guard: Fifth District, Portsmouth, VA; United States Coast Guard: First District, Boston, MA.

Congressional Relevance: Senate Committee on Appropriations: Transportation and Related Agencies Subcommittee; Sen. Frank R. Lautenberg.

Authority: Clean Water Act of 1977. H.R. 1465 (101st Cong.). S. 686 (101st Cong.).

Abstract: Pursuant to a congressional request, GAO evaluated the: (1) Philadelphia and New York ports' oil spill response preparation and capabilities; (2) Coast Guard authority to manage responses for the ports; and (3) measures that would help prevent major oil spills from occurring in the future. Findings/Conclusions: GAO found that: (1) neither the Coast Guard nor industry had adequate response capabilities or preparations for oil spills of over 100,000 gallons: (2) tankers transiting the Philadelphia and New York ports were not required to have oil spill response contingency plans: (3) although the Coast Guard's revised plan for Philadelphia realized that larger oil spills could occur, its local resources could not effectively handle spills of more than 50,000 gallons, and neither the industry's nor the New York Coast Guard's plans specifically identified spill sizes or what personnel and equipment should respond to spills of various sizes; (4) the Coast Guard believed that it lacked authority to require private ship owners, operators, and industry cooperatives to have contingency plans for dealing with oil spills or to ensure that industry had adequate response preparations; (5) recent legislation required all owners and operators of tank vessels carrying oil in U.S. waters to prepare and submit contingency plans to the Coast Guard: (6) the responses to the Presidente Rivera and Exxon Valdez spills indicated a need to improve oil recovery equipment, since current technology could typically expect to recover only 10 to 15 percent of an oil spill; and (7) recent experiences indicate the Vessel Traffic Service System's importance in preventing vessel groundings or collisions that could result in oil spills.

140534

Government Financial Vulnerability: 14 Areas Needing Special Review. OCG-90-1. January 23, 1990. 3 pp. plus 1 enclosure (4 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; Rep. John Conyers, Jr., Chairman, House Committee on Government Operations; by Charles A. Bowsher, Comptroller General. Refer to T-AFMD-90-9, November 29, 1989, Accession Number 140126.

Contact: Office of the Comptroller General.

Organization Concerned: Resolution Trust Corporation; Internal Revenue Service; United States Customs Service; Department of Justice: United States Marshals Service; Health Care Financing Administration; Department of Labor; Pension Benefit Guaranty Corporation; Department of Education; Department of State; Department of Defense; National Aeronautics and Space Administration; Farmers Home Administration; Environmental Protection Agency; Urban Mass Transportation Administration; Department of Energy.

Congressional Relevance: House Committee on Government Operations; Senate Committee on Governmental Affairs; Rep. John Conyers, Jr.; Sen. John H. Glenn.

Authority: Employee Retirement Income Security Act of 1974. Federal Managers' Financial Integrity Act of 1982.

Abstract: Pursuant to a congressional request, GAO described its planned special audit of 14 federal programs that it believed to be particularly vulnerable to mismanagement, fraud, abuse, and major losses of funds due to poor internal control and financial management systems.

Findings/Conclusions: GAO noted that it planned to investigate the: (1) Resolution Trust Corporation's management and disposal of approximately \$200 billion to \$300 billion in thrift assets: (2) potential for reducing or stabilizing the growth of the Internal Revenue Service's accounts receivable; (3) Customs Service's and the U.S. Marshals Service's management of seized and forfeited assets; (4) extent to which private insurers should pay questionable Medicare claims; (5) underfunding of Pension Benefit Guaranty Corporation-insured employee benefit plans; (6) effectiveness of bank, federal and state government, and school student loan accounting systems; (7) Department of State's management of overseas real property; (8) Department of Defense's (DOD) inventory management systems; (9) DOD acquisition of major systems; (10) National Aeronautics and Space Administration's decentralized contract administration process; (11) Farmers Home Administration loan program losses; (12) Environmental Protection Agency's (EPA) enforcement of private parties' financial responsibilities in cleanups of contaminated sites and EPA oversight and management of cleanup contractors; (13) Urban Mass Transportation Administration's grant application review process and project oversight; and (14) Department of Energy's contractor oversight and award fees.

## 140565

[Creation of a Department of the Environment (S. 2006)]. T-RCED-90-26. February 8, 1990. 10 pp. plus 1 attachment (13 pp.). Testimony before the Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-101, August 16, 1988, Accession Number 136581; and NSIAD-90-63, January 8, 1990, Accession Number 140532.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Environmental Protection Agency. Congressional Relevance: Senate Committee on Governmental Affairs. Authority: S. 2006 (101st Cong.). Clean Water Act of 1977.

Abstract: GAO discussed proposed legislation that would create a cabinetlevel Department of the Environment. GAO noted that: (1) the Environmental Protection Agency's (EPA) mission, size, and scope of responsibilities have grown considerably since its inception and are now equal to those of other cabinet departments; (2) the proposed creation of an interagency committee on global environmental change would provide a much-needed mechanism for coordinating national policies on important environmental issues; (3) EPA fit such cabinet-status eligibility criteria as having broad, national, cross-cutting policy goals and requiring strengthened oversight and accountability; (4) the Congressional Budget Office estimated that the costs of converting EPA to a cabinet department would be minimal, although the proposed legislation called for additional features that would increase the conversion costs; and (5) although the proposed legislation would establish a bureau of environmental statistics, a chief financial officer, and a

chief information resources officer, the new department would still require better program evaluation methods, better financial and other management information systems, better internal controls, and an improved organizational structure that accurately reflected environmental priorities.

#### 140568

[Creation of a Department of Environmental Protection (H.R. 3847)]. T-RCED-90-25. February 7, 1990. 6 pp. Testimony before the House Committee on Government Operations: Legislation and National Security Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-89-52, June 21, 1989, Accession Number 138946; and RCED-88-101, August 16, 1988, Accession Number 136581.

Contact: Resources, Community, and Economic Development Division.
Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: House
Committee on Government Operations:
Legislation and National Security
Subcommittee.

Authority: Safe Drinking Water Act. Resource Conservation and Recovery Act of 1976. H.R. 3847 (101st Cong.). Abstract: GAO discussed proposed legislation that would create a cabinetlevel Department of Environmental Protection. GAO noted that the: (1) Environmental Protection Agency's (EPA) mission, size, and scope of responsibilities have significantly increased since its inception and are now equal to those of many other cabinet departments: and (2) Congressional Budget Office estimated that the costs of converting EPA to a cabinet department would be minimal, although the proposed legislation called for additional features which could add to conversion costs. GAO also noted that the proposed legislation would create: (1) an office of international environmental affairs to strengthen the U.S. role in international environmental deliberations: (2) a center for environmental statistics to strengthen the collection and analysis of environmental data needed for effective program management and evaluation; and (3) a commission of environmental administration to examine departmental management, organizational, and jurisdictional issues. In addition, GAO noted that the legislation would not establish a single ombudsman to handle complaints and resolve disputes between the public and government officials.

GAO believes that a Department of Environmental Protection could ultimately provide a far more effective organization for addressing the difficult environmental agenda.

#### 140569

[Management of the Public Lands by the Bureau of Land Management and the U.S. Forest Service]. T-RCED-90-24. February 6, 1990. 9 pp. plus 1 attachment (1 pp.). Testimony before the House Committee on Interior and Insular Affairs: National Parks and Public Lands Subcommittee; by James Duffus, III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-171, June 23, 1989, Accession Number 139202; T-RCED-89-69, September 28, 1989, Accession Number 139664; RCED-88-105, June 30, 1988, Accession Number 136218; RCED-89-182, September 22, 1989. Accession Number 139586; RCED-89-202, September 26, 1989, Accession Number 139617; and RCED-90-27, February 5, 1990, Accession Number 140545.

Contact: Resources, Community, and Economic Development Division.
Organization Concerned: Bureau of Land Management; Forest Service.
Congressional Relevance: House
Committee on Interior and Insular
Affairs: National Parks and Public
Lands Subcommittee. .

Authority: Land Policy and Management Act. Public Rangelands Improvement Act of 1978. Onshore Oil and Gas Leasing Reform Act.

Abstract: GAO discussed the Bureau of Land Management's (BLM) and Forest Service's management of public lands. GAO found that: (1) Congress required BLM to manage federal lands using multiple-use and sustained-yield principles to ensure perpetual maintenance of the land's productive capacity and balanced land management to benefit all uses; (2) BLM historical deference to special interests led to management actions that were inconsistent with those principles; (3) BLM progress in implementing an effective wildlife management plan was hampered by inadequate resources and its willingness to allow competing interests to routinely take precedence over wildlife interests when conflicts arose; (4) more than 13 years after legislation required land use plans, BLM had completed less than half of the required plans; (5) BLM rarely used

strong penalties to enforce grazing trespass regulations and often made key oil and gas lease decisions without adequate information on potential environmental impacts; and (6) although BLM has made aggressive improvement efforts, it has met much resistance from those that benefited from its historical management practices. GAO also found that: (1) inadequate funding and staffing contributed to the Forest Service's backlog of trail maintenance and reconstruction; and (2) the Forest Service did not know the full extent of resource deterioration in some wilderness areas and it could not develop, operate and maintain many of its special recreation areas because of funding shortfalls.

#### 140590

Hazardous Materials: Inadequate Safeguards Over Sales Pose Health and Environmental Dangers. NSIAD-90-70; B-213706. February 12, 1990.

Released February 13, 1990. 24 pp. plus 1 appendix (1 pp.). Report to Rep. Vic Fazio, Chairman, House Committee on Appropriations: Legislative Subcommittee; Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Frank C. Conahan, Assistant Comptroller General, National Security and International Affairs Division. Refer to T-NSIAD-90-15, February 13, 1990, Accession Number 140601.

Issue Area: Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811); Logistics: Provision of a Realistic, Effective, and Coordinated Wartime Use of Logistics Resources Through the DOD Mobilization Plan (5904).

Contact: National Security and International Affairs Division.

Budget Function: National Defense: Defense-Related Activities (054.0).

Organization Concerned: Department of Transportation; Department of Defense; Environmental Protection Agency; Defense Logistics Agency: Defense Reutilization and Marketing Service; General Services Administration.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; House Committee on Appropriations: Legislative Subcommittee; Rep. Michael L. Synar; Rep. Vic Fazio. Authority: Property and Administrative Services Act. Resource Conservation and Recovery Act of 1976. 40 C.F.R. 261.31.

Abstract: Pursuant to a congressional request, GAO assessed the Department of Defense's (DOD) and the General Services Administration's (GSA) surplus sales policies and procedures to determine whether they attempted to prevent hazardous materials sales to buyers who could not properly handle them.

Findings/Conclusions: GAO found that DOD and GSA: (1) sold hazardous materials that were later handled improperly; (2) imposed only minimal legal restrictions on buyers of hazardous materials; (3) did not provide buyers with information about the hazards associated with sold materials; and (4) did not properly identify hazardous materials for sale.

Recommendation To Agencies: The Administrator of General Services and the Secretary of Defense, in cooperation with one another, should implement stronger safeguards to ensure that all buyers of hazardous materials, especially buyers of extremely hazardous materials, are: (1) aware of the dangers associated with such materials and the special handling and disposal requirements; and (2) able to handle the materials properly after the sale. GSA should ensure that sales catalogs issued by each region include all necessary information to alert potential buyers to the hazards associated with the materials.

## 140596

Personnel Practices: Questionable Personnel Practices at the U.S. Fish and Wildlife Service. GGD-90-43; B-235438. January 23, 1990.

Released February 13, 1990. 13 pp. plus 10 appendices (36 pp.). Report to Rep. Gerry E. Studds, Chairman, House Committee on Merchant Marine and Fisheries: Fisheries, Wildlife Conservation and the Environment Subcommittee; by Bernard L. Ungar, Director, Federal Human Resource Management Issues, General Government Division. Refer to RCED-89-79, February 21, 1989, Accession Number 137989.

Issue Area: Federal Civilian Work Force: How Personnel Management Policies and Practices Can Contribute to More Effective and Efficient Government (4805).

Contact: General Government Division. Budget Function: General Government: Central Personnel Management (805.0). Organization Concerned: United States Fish and Wildlife Service; Department of the Interior; Office of Personnel Management; Coastal Conservation Association; American Fisheries Society. Congressional Relevance: House Committee on Merchant Marine and Fisheries: Fisheries, Wildlife Conservation and the Environment Subcommittee; Rep. Gerry E. Studds. Authority: Intergovernmental Personnel Act of 1970 (5 U.S.C. 3371 et seq.). 5 U.S.C. 3132(a)(6). 16 U.S.C. 661. 16 U.S.C. 742f(a)(4).

Abstract: Pursuant to a congressional request, GAO reviewed the personnel policies and actions of the former director of the Fish and Wildlife Service (FWS).

Findings/Conclusions: GAO compared the number of special assistant, confidential assistant, and senior executive positions created during the former director's tenure and found that the former director: (1) created twice the number of those positions as his immediate predecessor; (2) improperly temporarily assigned two senior executives to nonfederal organizations; and (3) did not properly consider the impact of personnel actions on the FWS budget. GAO also found that: (1) most of the positions created resulted from FWS reorganizations, but a few newly created positions did not meet FWS needs and were not properly defined; (2) the former director did not change the basic responsibilities or geographic locations of positions that existed before his term; and (3) the former director's temporary emergency reassignment did not satisfy an unanticipated, urgent need to fill a position.

Recommendation To Agencies: The Secretary of the Interior should ensure that the assignment of the senior executive to the Coastal Conservation Association in Alabama, including arrangements for sharing salary and benefit costs, and similar assignments made in the future conform with the Intergovernmental Personnel Act of 1970 (IPA) and related Office of Personnel Management (OPM) regulations and guidance. The Secretary of the Interior should, under IPA guidance, determine what portion of the salary and benefit costs should have been assumed by the American Fisheries Society for the assignment of the senior executive to the Society and recoup such costs from the Society. The Secretary of the Interior should instruct the Director. FWS, to review existing special assistant positions to determine whether they are necessary to accomplish the FWS mission and, if so, are defined properly.

The Secretary of the Interior should instruct the Director, FWS, to ensure that the actual duties and responsibilities of the positions and approved descriptions agree. The Secretary of the Interior should instruct the Director, FWS, to determine whether the regional senior biologist positions make the best use of FWS resources. The Secretary of the Interior should direct the Director, FWS, to ensure that Schedule C appointees' supervisory relationships are the same as those approved by OPM. When changes in the supervisory relationships of Schedule C appointees must be made, as required in OPM guidance, the Secretary of the Interior should instruct the Director, FWS, to request approval from OPM. The Director, OPM, should ensure that limited emergency appointment authority is used to meet agencies' bona fide, unanticipated, urgent needs for filling positions. The Director, OPM, should ensure that limited emergency appointments are not used to accommodate departing political appointees.

## 140601

[Department of Defense and **General Services Administration** Management and Sales of Hazardous Materials]. T-NSIAD-90-15. February 13, 1990. 23 pp. Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Nancy R. Kingsbury, Director, Air Force Issues, National Security and International Affairs Division. Refer to NSIAD-90-11, November 6, 1989, Accession Number 140249; and NSIAD-90-70, February 12, 1990, Accession Number 140590.

Contact: National Security and

International Affairs Division. Organization Concerned: Department of Defense; General Services Administration. Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee. . Authority: Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Property and Administrative Services Act. Abstract: GAO discussed the Department of Defense's (DOD) and the General Services Administration's (GSA) management of hazardous materials and their public sale of surplus hazardous materials. GAO found that DOD and

GSA initiated some improved inventory management techniques such as reuse, recycling, and treatment to minimize hazardous waste, but: (1) there was not sufficient, reliable data to assess their efforts to manage hazardous materials and waste; (2) DOD inventory management practices did not minimize the amount of unused hazardous materials transferred for disposal; (3) neither DOD nor GSA developed or implemented adequate safeguards to prevent the sale of hazardous materials to irresponsible buyers; and (4) neither DOD nor GSA properly identified or routinely informed buyers of any special handling and safety requirements of hazardous materials for sale.

## 140604

Nuclear Health and Safety: Savannah River's Unusual Occurrence Reporting Program Has Been Ineffective. RCED-90-53; B-237605. December 20, 1989. Released February 20, 1990. 10 pp. plus 2

appendices (2 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

**Organization Concerned:** Department of Energy; E.I. du Pont de Nemours and Co., Inc.; Department of Energy: Operations Center, Savannah River, SC. Congressional Relevance: House Committee on Appropriations: Energy and Water Development Subcommittee; House Committee on Science, Space, and Technology: Natural Resources, Agriculture Research and Environment Subcommittee; House Committee on Government Operations: Environment, **Energy and Natural Resources** Subcommittee: Senate Committee on Appropriations: Energy and Water Development Subcommittee; Senate Committee on Energy and Natural Resources: Energy Research and Development Subcommittee; Senate Committee on Governmental Affairs; Rep. Michael L. Synar; Sen. John H. Glenn.

Authority: Federal Managers' Financial Integrity Act of 1982.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) Unusual Occurrence Reporting (UOR) program at the Savannah River Site in South Carolina. Findings/Conclusions: GAO found that Savannah River Site personnel reported to DOE headquarters only 39 percent of significant reactor-related events under UOR requirements, because: (1) DOE oversight of contractor activities was inadequate; (2) DOE had not developed written procedures for evaluating the contractor's internal reporting system to ensure its compatibility with UOR requirements; (3) contractor personnel did not report under UOR events which they personally judged to be insignificant or of no interest to other DOE sites; and (4) the UOR implementation plan lacked specific guidelines for UOR determinations. Recommendation To Agencies: To better ensure the reporting of all significant events to DOE headquarters under the DOE UOR program, the Secretary of Energy should require the Savannah River Operations Office to establish formal written procedures for: (1) reviewing and analyzing the contractor's internal reports; and (2) evaluating the contractor's internal reporting system to ensure that it is compatible with the objectives of the DOE UOR program. To better ensure the reporting of all significant events to DOE headquarters under the DOE UOR program, the Secretary of Energy should revise the DOE UOR order to more clearly specify which reactor-related events should be reported to DOE headquarters as UOR.

## 140605

Nuclear Science: The Feasibility of Using a Particle Accelerator to Produce Tritium. RCED-90-73BR; B-231142. February 2, 1990.

Released February 20, 1990. 27 pp. plus 1 appendix (1 pp.). Briefing Report to Rep. Sid Morrison; Sen. Brock Adams; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-206, September 21, 1989, Accession Number 139853.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy. Congressional Relevance: Rep. Sid Morrison; Sen. Brock Adams. Authority: P.L. 100-202.

Abstract: Pursuant to a congressional request, GAO reviewed the feasibility of the Department of Energy (DOE) producing tritium, a critical material for nuclear weapons, using a linear accelerator, rather than a nuclear reactor, focusing on: (1) whether DOE adequately considered particle accelerator technologies during its examination of tritium production options; and (2) the cost, safety, and environmental advantages of accelerator production over nuclear reactor production of tritium.

Findings/Conclusions: GAO found that: (1) although accelerator production of tritium appeared feasible, DOE needed to design an accelerator with the operating characteristics necessary for tritium production; (2) although DOE concluded that alternative technologies could not provide new tritium production capacity within the needed time frame, it was reviewing the accelerator in more detail: (3) accelerator production of tritium would present fewer safety and environmental concerns, could have more cost and schedule advantages, and could be sized to meet specific tritium needs; and (4) because of the amount of electricity required to produce tritium with an accelerator, DOE could need a new electric generating plant, which could cause environmental consequences associated with fossil fuel or nuclear power generation.

#### 140703

[Underground Petroleum Storage Tank Owners' Ability to Comply With Federal Financial Responsibility Requirements]. T-RCED-90-29. February 20, 1990. 11 pp. Testimony before the Senate Committee on Environment and Public Works: Environmental Protection Subcommittee: by Peter F. Guerrero, Associate Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-39, January 15, 1988, Accession Number 134843; T-RCED-90-9, October 31, 1989, Accession Number 139884; and T-RCED-90-48, March 21, 1990, Accession Number 140910.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Environmental Protection Agency. Congressional Relevance: Senate Committee on Environment and Public Works: Environmental Protection Subcommittee.

Authority: Hazardous and Solid Waste Amendments of 1984. Superfund Amendments and Reauthorization Act of 1986.

Abstract: GAO discussed legislative requirements intended to ensure that underground petroleum tank owners had the resources to clean up tank leaks and compensate anyone harmed by leaks. GAO noted that: (1) the Environmental Protection Agency (EPA) grouped firms owning underground petroleum storage tanks into four categories and phased in its financial responsibility requirements over 2 years; (2) more insurance companies have started offering tank coverage: (3) more states have created funds to pay for tank leak damages and are using those funds to help owners meet EPA financial responsibility regulations: (4) about 15 sources were offering liability insurance for underground petroleum tanks; (5) many small firms are still unlikely to qualify for insurance and will have to rely on state trust funds for financial responsibility; (6) EPA gave final or conditional approval to 23 state trust funds: (7) EPA exercised its discretion not to use its full enforcement authority to discover and penalize violations; (8) EPA was not willing to formally defer enforcement or postpone by regulation the deadline for large- and medium-sized firms; and (9) EPA failed to consider sales contract violations by tank operators when it developed the regulations.

## 140720

Coast Guard: Federal Costs Resulting From the Exxon Valdez Oil Spill. RCED-90-91FS; B-236137.5. January 26, 1990.

Released February 28, 1990. 26 pp. plus 1 appendix (1 pp.). Fact Sheet to Rep. John R. Kasich, Ranking Minority Member, House Committee on Armed Services: Readiness Subcommittee; Rep. Earl Hutto, Chairman, House Committee on Armed Services: Readiness Subcommittee; by Kenneth M. Mead, Director, Transportation Issues, Resources, Community, and Economic Development Division.

Issue Area: Transportation: Assessing How Effectively and Efficiently the Coast Guard Manages Its Diverse Missions (6623).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Transportation: Water Transportation (403.0).

Organization Concerned: Exxon Corp.; United States Coast Guard; Department of Defense; Department of Justice; Department of Commerce; Department of Agriculture; Department of the Interior; Department of Transportation; Department of Health and Human Services; Department of Labor; Environmental Protection Agency.

Congressional Relevance: House Committee on Armed Services: Readiness Subcommittee; House Committee on Armed Services: Readiness Subcommittee; Rep. John R. Kasich; Rep. Earl Hutto.

Authority: Clean Water Act.

Abstract: Pursuant to a congressional request, GAO provided information on the Exxon Valdez oil spill, focusing on: (1) estimated costs incurred by federal agencies; (2) the approaches agencies used to pursue reimbursement from the responsible oil company; and (3) the amount agencies have been reimbursed. Findings/Conclusions: GAO noted that: (1) nine agencies incurred cleanup. damage assessment, and other costs totalling \$125.2 million through September 30, 1989; (2) four of those agencies accounted for 94 percent of total costs incurred, and the Department of Defense accounted for the largest portion, \$62.8 million; (3) eight of nine agencies sought reimbursement either from the Coast Guard-administered 311(k) fund or through direct reimbursement agreements with the company; (4) since November 15, 1989, agencies have recovered \$80.8 million of total oil spill costs; (5) the agencies have not yet recovered \$21.6 million of the unreimbursed \$44.4 million, because charges were inadequately documented. exceeded formal cleanup agreements, or were not approved in advance by the Coast Guard; (6) the Departments of Health and Human Services and the Interior will not recover \$1 million in costs, since the Coast Guard did not approve the expenses in advance; and (7) agencies estimated that cleanup would require another \$9.2 million between October 1989 and February 1990.

## 140731

[Improvements Needed in FRA's Hazardous Materials Inspection and Safety Reporting Programs]. T-RCED-90-35. February 28, 1990. 12 pp. plus 2 attachments (2 pp.). Testimony before the House Committee on Government Operations: Government Activities and Transportation Subcommittee;

by Kenneth M. Mead, Director, Transportation Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-43, November 17, 1989, Accession Number 140071; RCED-89-109, April 5, 1989, Accession Number 138511; and RCED-87-3, April 13, 1987, Accession Number 132655.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Federal Railroad Administration; Chicago, Central and Pacific Railroad; Union Pacific Railroad Co.; Chicago and North Western Railroad; National Railroad Passenger Corporation (Amtrak); CSX Transportation.

Congressional Relevance: House Committee on Government Operations: Government Activities and Transportation Subcommittee. .

Authority: Federal Managers' Financial Integrity Act of 1982.

Abstract: GAO discussed the Federal Railroad Administration's (FRA) hazardous materials inspection program and five railroads' reporting of accidents and injuries. GAO found that: (1) FRA inspection coverage was minimal; (2) from 1985 to 1989, hazardous material releases increased by 40 percent; (3) track and equipment defects and human error were the two primary causes of reported rail accidents; (4) FRA inspectors did not adequately inspect shipper and railroad safety procedures; and (5) FRA did not systematically identify shippers transporting hazardous materials by rail. GAO also found that: (1) railroads did not report complete or accurate injury and accident data; (2) the majority of hazardous material releases did not result from rail accidents, but from defective equipment; and (3) there were not enough inspectors or adequate guidelines to effectively implement the inspection program.

# 140741

Nuclear Waste: Quarterly Report as of September 30, 1989. RCED-90-103; B-202377. March 2, 1990. 9 pp. plus 3 appendices (23 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Victor S. Rezendes, Director, Energy'Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National

Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Nevada; Nuclear Regulatory Commission; Nuclear Waste Technical Review Board.

Congressional Relevance: Senate Committee on Energy and Natural Resources; Senate Committee on Energy and Natural Resources; Sen. James A. McClure: Sen. J. Bennett Johnston. Authority: Nuclear Waste Policy Act of 1982. Nuclear Waste Policy Amendments Act of 1987 (P.L. 100-203). Abstract: Pursuant to a congressional request, GAO reviewed the status of the Department of Energy's (DOE) implementation of mandated policies and procedures for nuclear waste storage, disposal, and transportation in an underground repository, focusing on: (1) whether DOE was ready to begin construction of the facility; and (2) how recent changes in scheduling and in its developmental approach have affected DOE activities.

Findings/Conclusions: GAO found that: (1) DOE did not begin construction on an exploratory shaft facility by November 1989, as planned, because it did not comply with Nuclear Regulatory Commission (NRC) quality assurance requirements, resolve facility-design problems, or obtain the required state permits: (2) DOE restructured the repository program, which extended site characterization and repository licensing deadlines to October 2001, exploratory shaft facility completion to November 1992, and underground testing deadlines to September 1995; (3) responding to state and NRC recommendations to identify disqualifying conditions early in site preparation, DOE planned to precede underground testing with surface testing, beginning in January 1991; and (4) the schedule extensions will allow DOE to reevaluate its plans for the exploratory shaft facility, resolve problems in obtaining state permits, and conduct thorough site investigations.

## 140778

Nuclear Health and Safety: Better Earthquake Protection Needed at DOE's Savannah River Site. RCED-90-24; B-237903. December 26, 1989. Released March 6, 1990. 9 pp. plus 5 appendices (19 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural

Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation

Organization Concerned: Department of Energy: Operations Center, Savannah River, SC; Department of Energy; Department of Energy: Office of the Secretary of Environment, Safety, and Health.

Congressional Relevance: House
Committee on Appropriations: Energy
and Water Development Subcommittee;
House Committee on Appropriations:
Defense Subcommittee; House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee; Senate
Committee on Appropriations: Energy
and Water Development Subcommittee;
Senate Committee on Appropriations:
Defense Subcommittee; Senate
Committee on Governmental Affairs;
Rep. Michael L. Synar.

Abstract: Pursuant to a congressional request, GAO examined the Department of Energy's (DOE) ability to ensure employee and public safety in the event of a major earthquake at its Savannah River site.

Findings/Conclusions: GAO found that: (1) DOE found many serious seismic weaknesses in the site's reactors, which were built before seismic engineering standards existed; (2) some safety-related systems, equipment, and structures did not meet current seismic engineering standards, since DOE did not have a comprehensive seismic safety program; (3) the Office of Environment, Health and Safety's (ES&H) involvement in operational planning and reactor startup impaired its independent oversight role; and (4) although DOE has issued guidance indicating a shift in nuclear safety oversight functions, it may not be able to fully implement the guidance due to lack of resources.

Recommendation To Agencies: To help ensure employee and public safety in the event of a major Savannah River site earthquake, the Secretary of Energy should establish a comprehensive, systematic seismic program for the reactors and other high-risk nuclear facilities at Savannah River. The program should include updating of seismic criteria and site engineering

standards as necessary, as well as appropriate ongoing independent oversight to help ensure its adequacy and timely implementation. Because earthquake potential exists at other locations, the Secretary of Energy should conduct an examination to determine the need to upgrade seismic programs at DOE locations with high-risk nuclear facilities.

#### 140805

[Observations on the Environmental Protection Agency's Budget Request for Fiscal Year 1991]. T-RCED-90-46. March 7, 1990. 11 pp. Testimony before the Senate Committee on Environment and Public Works; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-101, August 16, 1988, Accession Number 136581; and RCED-88-44, December 17, 1987, Accession Number 134840.

Contact: Resources, Community, and Economic Development Division.
Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: Senate
Committee on Environment and Public Works.

Authority: Safe Drinking Water Act Amendments of 1986. Water Quality Act of 1987. Clean Water Act of 1977. S. 2006 (101st Cong.). Safe Drinking Water Act. Abstract: GAO discussed the Environmental Protection Agency's 1991 budget request. GAO noted that: (1) EPA requested \$5.6 billion, increasing its operating budget from \$1.92 billion to \$2.15 billion, or 12 percent; (2) funding for the construction of wastewater treatment plants would be reduced from \$2.0 billion to \$1.6 billion; (3) the pace of environmental improvement may not meet public expectations because of state and local funding difficulties; (4) important EPA issues included water quality, non-point-source water pollution, asbestos abatement, pesticides, and the Superfund program; and (5) EPA could improve the linkage between program planning and budget planning.

## 140818

[Observations on the Environmental Protection Agency's Budget Request for Fiscal Year 1991]. T-RCED-90-39. March 8, 1990. 11 pp. Testimony before the Senate Committee on Appropriations: VA, HUD, and Independent Agencies Subcommittee; by Richard L.

Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-44, December 17, 1987, Accession Number 134840; and RCED-88-101, August 16, 1988, Accession Number 136581.

Contact: Resources, Community, and Economic Development Division.
Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: Senate
Committee on Appropriations: VA,
HUD, and Independent Agencies
Subcommittee.

Authority: Safe Drinking Water Act Amendments of 1986. Clean Water Act of 1977. Water Quality Act of 1987. Safe Drinking Water Act. S. 2006 (101st Cong.).

Abstract: GAO discussed the Environmental Protection Agency's (EPA) 1991 budget request. GAO noted that: (1) EPA requested \$5.6 billion, increasing its operating budget from \$1.92 billion to \$2.15 billion, or 12 percent; (2) funding for the construction of wastewater treatment plants would be reduced from \$2.0 billion to \$1.6 billion; (3) the pace of environmental improvement may not meet public expectations because of state and local funding difficulties; (4) important EPA issues included water quality, non-pointsource water pollution, asbestos abatement, pesticides, and the Superfund program; and (5) EPA could improve the linkage between program planning and budget planning.

#### 140822

[GAO's Views on DOE's 1991 **Budget for Addressing Problems at** the Nuclear Weapons Complex]. T-RCED-90-33. March 2, 1990. 12 pp. Testimony before the House Committee on Budget; by Keith O. Fultz, Director, Planning and Reporting, Resources, Community, and Economic Development Division. Refer to T-RCED-89-6, February 8, 1989, Accession Number 137884: RCED-90-47, October 23, 1989 Accession Number 139806; T-RCED-90-7, October 24, 1989, Accession Number 139809; RCED-90-60FS, October 23, 1989, Accession Number 139878; and RCED-90-23, October 30, 1989, Accession number 140018.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Energy.

Congressional Polyange: House

Congressional Relevance: House Committee on Budget. .

Abstract: GAO discussed the Department of Energy's (DOE) 1991 budget request relating to cleaning up and modernizing its nuclear weapons complex. GAO noted that: (1) to more effectively deal with its problems, DOE restructured its programmatic and safety organizations, issued a 5-year plan for environmental restoration and waste management, and undertook efforts to make contractors more accountable for environmental and safety matters; (2) Congress mandated the establishment of the Defense Nuclear Facilities Safety Board to help ensure the safe operation of DOE facilities; (3) although the full scope of DOE environmental problems was still unknown, estimates indicated that cleanup could cost up to \$155 billion; (4) unresolved problems included the shut-down of several key facilities. delayed opening of a waste repository, reactor and facility operational safety, facility deterioration, and groundwater and soil contamination; (5) DOE requested \$8.6 billion for its weapons complex, including \$1.9 billion for modernization and safety upgrades; (6) DOE also requested \$2.8 billion for environmental restoration and waste management for 1991; (7) DOE projected that funding for environmental restoration would continue to increase over the next 5 fiscal years; (8) DOE planned to perform some modernization efforts during 1991 without the benefit of an overall approved strategic plan; and (9) DOE identified several material weaknesses that could affect its ability to rebuild and clean up the nuclear weapons complex.

## 140826

Environment, Safety, and Health: Status of DOE's Reorganization of Its Safety Oversight Function. RCED-90-82BR; B-238061. January 30, 1990.

Released March 9, 1990. 17 pp. plus 3 appendices (3 pp.). Briefing Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to EMD-81-108, August 4, 1981, Accession Number 115979; RCED-86-61, December 13, 1985, Accession Number 128807; RCED-88-137, July 8, 1988, Accession Number 136307; T-RCED-87-32, June 16, 1987, Accession Number 133223; RCED-84-50, November 30, 1983, Accession Number 123131; RCED-90-47, October 23, 1989, Accession Number 139806; and RCED-90-104, April 12, 1990, Accession Number 141525.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Abstract: Pursuant to a congressional request, GAO reviewed the impact a proposed Department of Energy (DOE) reorganization plan would have on its safety oversight activities for nuclear facilities.

Findings/Conclusions: GAO noted that: (1) DOE responded to public concern over a 1979 nuclear accident by establishing the Office of Assistant Secretary for Environment, Safety, and Health in September 1985; (2) a 1986 accident in the Soviet Union led to a 1988 congressional mandate for an external, independent oversight board: and (3) despite previous actions to address safety issues, the Secretary of Energy determined in 1989 that the DOE safety oversight program was a failure, primarily because clear lines of responsibility did not exist for DOE oversight activities. GAO found that the proposed restructuring plan would clearly identify lines of responsibility for DOE safety management and oversight by: (1) specifying safety responsibilities for management personnel; (2) reorganizing DOE offices for independent, internal oversight of safety activities; and (3) clarifying the external safety board's role in overseeing the internal safety program. GAO also found that the plan's success depended on: (1) the degree of personnel commitment to safety and reconciliation of safety concerns with production goals; (2) whether each oversight group had a clear role and adequate guidelines regarding its responsibilities and relationships with the other groups; (3) how effectively DOE oversight groups worked together to achieve safety goals; and (4) the availability of experienced and qualified personnel to perform safety oversight activities.

#### 140827

Air Pollution: Protecting Parks and Wilderness From Nearby Pollution Sources. RCED-90-10; B-226223. February 7, 1990.

Released March 9, 1990. 8 pp. plus 5 appendices (24 pp.). Report to Rep.

Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-90-43, March 9, 1990, Accession Number 140830.

Issue Area: Environmental Protection: Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

# **Organization Concerned:**

Environmental Protection Agency; United States Fish and Wildlife Service; Department of the Interior; National Park Service: Forest Service.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Congress; Rep. Michael L. Synar.

Authority: Clean Air Act. Clean Air Act Amendments of 1977.

Abstract: Pursuant to a congressional request, GAO reviewed federal and state efforts to maintain clean air in national parks and wilderness areas, focusing on: (1) the extent to which the Clean Air Act regulated stationary sources located near areas designated Class I, the highest protection level; (2) how federal land managers protected Class I areas from stationary source emissions; and (3) why states have not designated other federal lands as Class I.

Findings/Conclusions: GAO found that: (1) Environmental Protection Agency (EPA) Prevention of Significant Deterioration (PSD) Program requirements covered very few air pollution sources around Class I areas; (2) 99 percent of the stationary sources near the Class I areas reviewed, accounting for 90 percent of the local pollution, were exempt from PSD requirements because they either were in existence before the program went into effect or were considered minor sources and did not need permits; (3) although the act provided for installation of retrofit technology on exempt sources, the provision only applied in cases where the facilities adversely affected visibility in Class I areas; (4) although federal land managers improved the PSD permit review process, lack of information about the resources they tried to protect and the effects of air pollution on those resources continued to hamper reviews;

and (5) although federal agencies recommended 14 states and territories with areas for Class I designation, state officials believed that the areas already had adequate protection, they lacked the resources to conduct the necessary studies prior to redesignation, and Class I designations hampered economic development in their states.

Recommendation To Congress: Congress

Recommendation To Congress: Congress may wish to consider: (1) whether the current thresholds for minor sources and exemptions for existing major sources contained in the Clean Air Act ought to be revised; and (2) revising the process for designating Class I areas to make federal land managers responsible, rather than the states.

Recommendation To Agencies: The Administrator, EPA, in cooperation with the National Park Service, the Fish and Wildlife Service (FWS), and the Forest Service, should expeditiously survey a group of Class I areas where nearby emission sources are believed or are known to contribute to air quality degradation. The survey should determine the extent to which sources exempt from PSD permit requirements are contributing to air pollution in Class I areas. At the end of his review, the Administrator should report his findings to Congress within the next 6 months. The Secretary of the Interior should instruct the Director, FWS, to develop a long-range plan for gathering the information necessary to support reviews of PSD permit applications.

# 140830

[Protecting Parks and Wilderness From Nearby Air Pollution Sources]. T-RCED-90-43. March 9, 1990. 18 pp. plus 1 attachment (5 pp.). Testimony before the House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-10, February 7, 1990, Accession Number 140827.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned:
Environmental Protection Agency;
United States Fish and Wildlife Service;
National Park Service; Forest Service.

Congressional Relevance: House
Committee on Government Operations:
Environment, Energy and Natural
Resources Subcommittee.

Authority: Clean Air Act. Clean Air Act Amendments of 1977.

Abstract: GAO discussed federal and state efforts to maintain clean air in national parks and wilderness areas, focusing on the Environmental Protection Agency's (EPA) Prevention of Significant Deterioration (PSD) program. GAO noted that: (1) EPA regulated only 1 percent of stationary air pollution sources under the PSD program, while the remaining 99 percent were exempt from program permit requirements, either because they were grandfathered, or qualified as minor sources; (2) federal land managers did not fully implement their permit application responsibilities; (3) states had not designated additional protected parks and wilderness areas, contending that the areas were already adequately protected and that additional protection would be too costly and would negatively effect economic development in surrounding areas; and (4) land managers lacked funds to obtain sufficient information about air pollution effects and protection.

#### 140843

Alternative Agriculture: Federal Incentives and Farmers' Opinions. PEMD-90-12; B-237645. February 16, 1990

Released March 15, 1990. 79 pp. plus 2 appendices (6 pp.). Report to Rep. George E. Brown, Jr., Chairman, House Committee on Agriculture: Department Operations, Research, and Foreign Agriculture Subcommittee; Rep. E (Kika) De La Garza, Chairman, House Committee on Agriculture; by Eleanor Chelimsky, Assistant Comptroller General, Program Evaluation and Methodology Division. Refer to T-PEMD-90-9, March 15, 1990, Accession Number 140848.

Issue Area: Program Evaluation and Methodology: Intended and Unintended Effects of Government Programs and Policies (7208).

Contact: Program Evaluation and Methodology Division.

Budget Function: Agriculture: Farm Income Stabilization (351.0).

Organization Concerned: Department of Agriculture.

Congressional Relevance: House Committee on Agriculture: Department Operations, Research, and Foreign Agriculture Subcommittee; House Committee on Agriculture; Rep. George E. Brown, Jr.; Rep. E (Kika) De La Garra.

Authority: Federal Crop Insurance Act of 1980. Consolidated Farm and Rural Development Act. Food Security Act.

Abstract: Pursuant to a congressional request, GAO assessed the incentives and disincentives of federal farm programs that influenced farmers' adoption of alternative production methods, focusing on: (1) alternative agriculture, which attempts to address the health, environmental, and economic problems associated with conventional agriculture; (2) implications of federal commodity price and income support, farm credit, and crop insurance programs; and (3) farmers' opinions on the factors influencing planting decisions, sustainability, credit and crop insurance availability, and risk reduction.

Findings/Conclusions: GAO found that, while federal farm programs pose no direct statutory or regulatory barriers that would prevent the adoption of alternative practices, the programs: (1) support crops requiring high agrichemical inputs and those associated with high rates of soil erosion; (2) encourage farmers to specialize in program crops and grow the same crops from year to year; and (3) discourage farmers from rotating crops and encourage high levels of conventional inputs. GAO also found that farmers: (1) believed federal farm programs greatly influenced their planting decisions; (2) believed farm program participation and crop diversity were good strategies for reducing farm-related risks, and less than half considered crop insurance to be a good risk-reduction strategy; and (3) expect to continue their current practices, despite research suggesting that conventional agriculture practices damage the environment and other research showing that alternative agriculture can be profitable. GAO believes that: (1) further research is needed to assess the effectiveness of alternative crops and production methods; and (2) while changes in federal farm programs will be necessary to encourage the adoption of alternative agriculture, such changes alone may not significantly increase the use of alternatives.

# 140848

[Alternative Agriculture: Federal Incentives and Farmers' Opinions]. T-PEMD-90-9. March 15, 1990. 32 pp. plus 1 appendix (3 pp.). Testimony before the House Committee on Agriculture: Conservation, Credit, and Rural Development Subcommittee; House Committee on Agriculture: Department Operations, Research, and Foreign Agriculture Subcommittee; by Carl E. Wisler, Director, Planning and Reporting,

Program Evaluation and Methodology Division. Refer to PEMD-90-12, February 16, 1990, Accession Number 140843.

Contact: Program Evaluation and Methodology Division.

**Organization Concerned:** Department of Agriculture.

Congressional Relevance: House
Committee on Agriculture: Department
Operations, Research, and Foreign
Agriculture Subcommittee; House
Committee on Agriculture: Conservation,
Credit, and Rural Development
Subcommittee.

Authority: Food Security Act. Abstract: GAO discussed the incentives and disincentives of federal farm programs that influenced farmers' adoption of alternative production methods. GAO noted that while federal farm programs pose no direct statutory or regulatory barriers that would prevent the adoption of alternative practices, the programs: (1) support crops requiring high agrichemical inputs and those associated with high rates of soil erosion; (2) encourage farmers to specialize in program crops and grow the same crops from year to year; (3) discourage farmers from rotating crops and encourage high levels of conventional inputs; (4) encourage farmers to produce program-supported crops on marginal lands; and (5) influenced the limitation of farm credit and insurance because lenders were less likely to invest in or provide protection for alternative practices. GAO also noted that farmers: (1) believed federal farm programs greatly influenced their planting decisions; (2) believed farm program participation and crop diversity were good strategies for reducing farmrelated risks, and less than half considered crop insurance to be a good risk-reduction strategy; and (3) expect to continue their current practices, despite research suggesting that conventional agriculture practices damage the environment and other research showing that alternative agriculture can be profitable.

## 140860

Hazardous Waste: EPA's Generation and Management Data Need Further Improvement. PEMD-90-3; B-235931. February 9, 1990. Released March 16, 1990. 104 pp. plus 2 appendices (2 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Eleanor Chelimsky, Assistant Comptroller

General, Program Evaluation and Methodology Division.

Issue Area: Program Evaluation and Methodology: Methodological Quality of Front-End Evaluation Information Supporting Regulatory Decision-Making (7202).

Contact: Program Evaluation and Methodology Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:

Environmental Protection Agency; Environmental Protection Agency: Office of Solid Waste and Emergency Response. Congressional Relevance: House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; House Committee on Government Operations: Environment, **Energy and Natural Resources** Subcommittee: Senate Committee on **Environment and Public Works:** Congress; Rep. Michael L. Synar. Authority: Superfund Amendments and Reauthorization Act of 1986 (P.L. 99-499; 100 Stat. 1613). Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616). Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Resource Conservation and Recovery Act of 1976. Executive Order 12291.

Abstract: Pursuant to a congressional request, GAO evaluated the Environmental Protection Agency's (EPA) efforts to improve the quality of information it collected on hazardous waste generation and management capacity.

Findings/Conclusions: GAO found that EPA: (1) initiated 13 efforts to improve its previous data collection efforts, which primarily relied on joint federal-state programs that sometimes produced inconsistent, flawed, and incomplete hazardous waste information; (2) implemented information system development practices that were generally consistent with existing federal guidelines, although it needed to refine several data collection mechanisms to ensure the full integration of all data; (3) identified most of the categories of information it needed, although it lacked categories for information about Superfund site waste, other types of waste that would ultimately require management, and the disposal capacity of salt domes or other geologic formations; (4) generally improved the measurement instruments it used to obtain hazardous waste information, but could develop frameworks to help resolve remaining classification and measurement

problems; (5) did not provide sufficient funding for states to collect and verify data; (6) was not planning to conduct future national surveys using probability sampling, although they had been the primary source of detailed national information; and (7) had limited authority to require states to collect standard data or hazardous waste handlers to provide the detailed information it required. Recommendation To Congress: In addition to the improvements EPA can make, GAO believes that a refinement in legislation may also be necessary to improve the quality of EPA information. Nonuniform data and procedures across the states, which are associated with a ioint federal-state data collection effort under the Resource Conservation and Recovery Act, degrade the quality of information about hazardous waste. Under current law, responsibility for data collection, as well as other regulatory activities, is shared by federal and state governments. This problem could be corrected by separating the recordkeeping and reporting provisions of the act from other regulatory provisions and making EPA solely responsible for collecting the information required for developing and implementing the federal program. Uniform national data would then be assured, but states would retain the authority to add data elements and to use supplemental data collection mechanisms to support state needs. Recommendation To Agencies: The Administrator, EPA, should direct the Assistant Administrator for Solid Waste and Emergency Response to take appropriate steps to enhance its information system development process and fully ensure that data collection efforts complement each other and support the program mission. Specifically, a comprehensive data collection plan should be developed. Steps should be taken to improve the assignment of responsibilities for planning and directing the development of information system components by increasing the authority of the central coordinating office to develop data collection efforts and ensure consistency. Finally, the life-cycle management system should be refined to ensure the complete and detailed analysis and documentation of each stage of the cycle for major system components. The Administrator, EPA, should direct the Assistant Administrator for Solid Waste and Emergency Response to take appropriate and feasible steps to fill remaining information gaps, including

that will ultimately require management capacity; (2) volumes of waste that will require management capacity under proposed regulations, including the large volumes of waste expected from cleanups of leaking underground storage tanks; and (3) potential disposal capacity of salt domes and other geologic formations that are capable of preventing the migration of wastes. The Administrator, EPA, should direct the Assistant Administrator for Solid Waste and Emergency Response to ensure the use of the most appropriate measures of the relevant attributes of hazardous waste generation and management. Specifically, quantitative measures should be used to measure waste characteristics, such as those needed for assessing management capacity or waste minimization, and in addition, a true general classification system should be developed for treatment technologies. The Administrator, EPA, should direct the Assistant Administrator for Solid Waste and Emergency Response to ensure that state data collection and quality control efforts receive fully adequate support and include specific indicators related to data collection and verification in the agency's mechanism for monitoring state performance. The Administrator, EPA, should direct the Assistant Administrator for Solid Waste and Emergency Response to use probability sampling, rather than a census of waste handlers, whenever feasible, for routine national data collection and quality control, to ensure that EPA obtains the information necessary to develop regulations efficiently and without unnecessary data collection burden. The Administrator, EPA, should direct the Assistant Administrator for Solid Waste and Emergency Response to ensure that the toxic chemical release inventory reporting system complements other hazardous waste data collection efforts so that the data it provides on toxic chemical concentrations can be used to their maximum potential. The Administrator, EPA, should direct the Assistant Administrator for Solid Waste and Emergency Response to amend federal recordkeeping and reporting regulations so that states are required to collect and provide standard data elements in a disaggregated form and hazardous waste handlers are required to provide sufficiently detailed data.

# 140866

[General Accounting Office's View on the Conservation Provisions of the 1990 Farm Bill]. T-RCED-90-49. March 15, 1990. 10 pp. *Testimony* 

the: (1) volumes of waste located at Superfund and corrective action sites before the House Committee on Agriculture: Department Operations, Research, and Foreign Agriculture Subcommittee; by John Harman, Director, Food and Agriculture Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-13, November 15, 1989, Accession Number 140011; RCED-90-19, October 26, 1989, Accession Number 139860; and OCG-89-12TR, November 1988, Accession Number 137338.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Department of Agriculture.

Congressional Relevance: House Committee on Agriculture: Department Operations, Research, and Foreign Agriculture Subcommittee. . Authority: Food Security Act (P.L. 99-

Abstract: GAO discussed its views on: (1) Food Security Act-related soil and water programs; and (2) potential changes Congress might consider for the 1990 farm bill. GAO noted that: (1) soil conservation programs helped reduce the environmental impacts of agricultural production, but the act only applied to about one-third of the 423 million highly erodible acres of U.S. cropland; (2) the Department of Agriculture (USDA) did not take prompt action to address water quality concerns in implementing its Conservation Reserve Program (CRP); (3) USDA developed coordinating mechanisms to oversee its water quality efforts, but did not establish an executive office to oversee its water quality activities; (4) USDA did not develop a comprehensive water quality policy; and (5) federal policy objectives and goals conflicted concerning agricultural chemicals and water and land conservation. GAO also noted that Congress may wish to consider: (1) a requirement to restore converted wetlands and regain farmer eligibility for farm program payments; (2) requiring a penalty for the conversion of fragile lands; (3) allowing continued enrollment in CRP and modifying the 25-percent county cap in areas suffering from water quality problems; (4) improving management of specific act provisions; and (5) legislative changes to encourage the use of alternative agricultural methods to reduce environmental damage.

#### 140880

Financial Audit: EPA's Financial Statements for Fiscal Years 1988 and 1987. AFMD-90-20; B-216351.

March 16, 1990. 39 pp. Report to Congress; by Charles A. Bowsher, Comptroller General. Refer to AFMD-89-24, February 9, 1989, Accession Number 137921.

Issue Area: Financial Statement Audits of Government Entities: Conformity of Federal Government's Consolidated Financial Statements With New GAO Requirements (7501).

**Contact:** Accounting and Financial Management Division.

Budget Function: Financial Management and Information Systems: Regulatory Accounting Rules and Financial Reporting (998.6).

Organization Concerned: Environmental Protection Agency; Leonard G. Birnbaum Co.

Congressional Relevance: Congress.
Authority: Federal Managers' Financial Integrity Act of 1982 (31 U.S.C. 3512 et seq.). Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Superfund Amendments and Reauthorization Act of 1986.
Supplemental Appropriation Act, 1955 (P.L. 83-663; 31 U.S.C. 1501 et seq.). 31 U.S.C. 3302 et seq. Accounting and Auditing Act. Antideficiency Act (31 U.S.C. 1341). Debt Collection Act of 1982 (31 U.S.C. 3717). Prompt Payment Act (31 U.S.C. 3902 et seq.).

Abstract: Pursuant to a legislative requirement, GAO examined the Environmental Protection Agency's (EPA) consolidated financial statements for the years ended September 30, 1988 and 1987, focusing on: (1) EPA internal accounting controls; (2) EPA compliance with laws and regulations; and (3) the Superfund program's financial condition. Findings/Conclusions: GAO found that: (1) EPA estimated a \$30-billion cleanup cost for approximately 1,200 hazardous waste sites, but it may have underestimated the cost: (2) as of September 30, 1988, EPA had identified over 30,000 waste sites and had completed preliminary assessments at over 26,000 sites and inspections at over 9,000 sites; (3) at the end of 1988, EPA had started cleanup work at 201 of the 1,200 sites, and had completed work at 27 sites; (4) the new EPA reporting system did not provide satisfactory accounting information; and (5) EPA did not timely reconcile its general ledger and external reports. GAO also found that: (1) EPA did not correct previously reported property management internal control problems; (2) the EPA subsidiary accounting system for property and related internal controls did not adequately account for or maintain control over those assets; and (3) the property management system did not

reasonably safeguard EPA assets or provide the appropriate information in financial statements. GAO also found that EPA complied with the provisions of laws and regulations that could have a material effect on its consolidated financial statements.

Recommendation To Agencies: To improve EPA accounting for and control over all property assets, the Administrator, EPA, should ensure that the new accounting system and the property control system provide accurate and reliable financial and management control records (including the type of asset, date of acquisition, cost, estimated useful life, applicable depreciation data, physical location, and identity of custodial officers) to account for and control property assets. To improve EPA accounting for and control over all property assets, the Administrator, EPA, should ensure that the new accounting system and the property control system contain a common data element or interface to permit the reconciliation of accounting and property systems data. To improve EPA accounting for and control over all property assets, the Administrator, EPA, should address the property-related findings and implement the recommendations reported by the Superfund auditor in its fiscal year 1988 audit report dated September 22, 1989.

# 140881

[DOE's Efforts to Correct Environmental Problems of the Nuclear Weapons Complex]. T-RCED-90-47. March 15, 1990. 14 pp. Testimony before the House Committee on Armed Services: Department of Energy Defense Nuclear Facilities Panel; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Armed Services: Department of Energy Defense Nuclear Facilities Panel.

Abstract: GAO discussed the Department of Energy's (DOE) efforts to correct environmental problems in its nuclear weapons complex. GAO noted that: (1) the weapons complex faced such serious and costly environmental problems as inactive waste sites requiring cleanup, groundwater and soil contamination, facilities' noncompliance with environmental laws and standards, and delayed opening of a permanent

waste repository; (2) although the full extent of environmental problems in the complex was unknown, data indicated that it could cost over \$100 billion for environmental restoration: (3) to focus management attention on environmental problems, DOE underwent programmatic restructuring, issued a 5year plan for environmental restoration and waste management, and took actions to make its contractors more accountable for environmental and safety matters; and (4) DOE requested \$2.8 billion for fiscal year 1991 environmental restoration and waste management activities, although that amount would not fully fund all of the activities it outlined in its 5-year plan. GAO believes that, although DOE has taken several actions to better address environmental problems in its nuclear weapons complex, DOE must have more effective management systems in place to ensure that it: (1) identifies and obtains funding for the most serious environmental problems; (2) effectively manages and spends funds allocated for cleanup and waste management; and (3) maintains a strong commitment to resolving environmental problems.

#### 140890

Nuclear Waste: Transuranic Waste Storage Limitations at Rocky Flats Plant. RCED-90-109; B-221801. February 28, 1990.

Released March 20, 1990. 9 pp. plus 1 appendix (1 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. David Skaggs; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy (270.0).

Organization Concerned: Department of Energy: Idaho National Engineering Laboratory; EG&G Rocky Flats, Inc.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. David Skaggs; Rep. Michael L. Synar.

Authority: Atomic Energy Act of 1954. Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.). B-221801.3 (1989). Environmental Policy Act of 1969 (National) (42 U.S.C. 4332).

**Abstract:** GAO reviewed the Department of Energy's (DOE) plans for resolving the on-site waste storage problem at its Rocky Flats nuclear weapons plant. Findings/Conclusions: GAO found that: (1) the shutdown of Rocky Flats weapons production facilities precluded accurate projections of the on-site waste storage capacity; (2) DOE took initiatives to extend the storage limit by reducing the volume of waste generated, removing some waste from the current radioactivemixed waste inventory, and installing equipment to reduce the waste in the current inventory; (3) monthly generation of waste declined from an average of 361 cubic yards in fiscal year (FY) 1984 to 95 cubic yards during FY 1989; and (4) DOE took steps to increase employee awareness and training on using hazardous chemicals so that radioactive waste could be minimized.

#### 140907

Fossil Fuels: Pace and Focus of the Clean Coal Technology Program Need to Be Assessed. RCED-90-67; B-230504. March 19, 1990. 27 pp. plus 7 appendices (11 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-90-3, October 18, 1989, Accession Number 139779: RCED-89-80, March 29, 1989. Accession Number 138396; RCED-89-166FS, June 29, 1989, Accession Number 139001; T-RCED-88-47, June 22, 1988, Accession Number 136148; T-RCED-89-25, April 13, 1989, Accession Number 138441; and T-RCED-90-56, March 28, 1990, Accession Number 140967.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressional Interest and Budgetary Constraints (6417).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Supply (271.0).

**Organization Concerned:** Department of Energy.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Congress; Rep. Philip R. Sharp. Authority: Clean Air Act. P.L. 98-473. P.L. 101-121. Federal Managers' Financial Integrity Act of 1982. P.L. 99-190

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) evaluation and selection of project proposals under the second round of the Clean Coal Technology (CCT) Program. Findings/Conclusions: GAO found that: (1) DOE formed a board to develop proposal evaluation and selection criteria and evaluate proposed projects; and (2) DOE developed evaluation criteria in accordance with congressional and other program guidance. GAO also found that: (1) DOE picked 16 projects that represented the highest-ranked proposals for the range of technologies it included, but DOE rated 12 of the 16 projects weak in meeting 1 or more comprehensive evaluation criteria, acid rain reduction criteria, or technical readiness criteria; (2) half of the 48 proposals that DOE evaluated fared poorly against 3 or more of the evaluation criteria; and (3) 14 of the 32 projects that DOE did not select had better potential for reducing acid-raincausing emissions than the 9 weakest projects DOE selected.

Recommendation To Congress: Given the current status of projects in the CCT Program and in view of the Nation's current budget constraints, Congress may wish to consider amending the CCT provision of Public Law 101-121 to direct DOE to delay requesting proposals and selecting projects for rounds four and five of the program until it obtains additional demonstration results from projects already in the program.

#### 140908

[DOE's Management and Oversight of the Nuclear Weapons Complex]. T-RCED-90-52. March 22, 1990. 13 pp. plus 1 attachment (1 pp.). *Testimony* before the House Committee on Armed Services: Department of Energy Defense Nuclear Facilities Panel; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-86-61, December 13, 1985, Accession Number 128807; EMD-81-108, August 4, 1981, Accession Number 115979; and T-RCED-87-4, March 12, 1987, Accession Number 132384.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Armed Services:

Department of Energy Defense Nuclear Facilities Panel.

Abstract: GAO discussed the Department of Energy's (DOE) management and oversight of the nuclear weapons complex, focusing on: (1) unresolved environmental, safety, and operational problems; (2) long-term management problems; (3) the current status of DOE management initiatives; and (4) its views on those initiatives. GAO noted that: (1) the costs of remedying continual safety and environmental problems regarding the aging and deterioration of DOE nuclear facilities, groundwater and soil contamination, and radioactive waste disposal could total \$155 billion; (2) DOE has not developed strategies for addressing long-standing management problems concerning the emphasis on production over safety concerns, inadequate environmental and safety oversight, and a lack of technically qualified personnel; (3) DOE initiated actions to address long-standing management problems, including the restructuring of internal oversight responsibilities, issuance of environmental restoration, waste management, and modernization strategies, assessments of facilities' compliance with applicable regulations, and efforts to increase contractors' accountability; and (4) the success of recent management initiatives will depend on the commitment of DOE to environmental, safety, and health issues, effective coordination and cooperation among DOE oversight groups, and the availability of technically qualified personnel.

# 140910

[Underground Petroleum Tank Owners' Ability to Comply With Federal Financial Responsibility Requirements]. T-RCED-90-48. March 21, 1990. 12 pp. Testimony before the Senate Committee on Small Business; by Peter F. Guerrero, Associate Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-39, January 15, 1988, Accession Number 134843; T-RCED-90-29, February 20, 1990, Accession Number 140703; and T-RCED-90-9, October 31, 1989, Accession Number 139884.

Contact: Resources, Community, and Economic Development Division.
Organization Concerned:
Environmental Protection Agency.
Congressional Relevance: Senate
Committee on Small Business.

Authority: Superfund Amendments and Reauthorization Act of 1986. Abstract: GAO discussed legislative requirements intended to ensure that underground petroleum tank owners had the resources to clean up tank leaks and compensate anyone harmed by leaks. GAO noted that: (1) the Environmental Protection Agency (EPA) grouped firms owning underground petroleum storage tanks into four categories and phased in its financial responsibility requirements over 2 years; (2) more insurance companies have started offering tank coverage; (3) more states have created funds to pay for tank leak damages and are using those funds to help owners meet EPA financial responsibility regulations; (4) about 15 sources were offering liability insurance for underground petroleum tanks; (5) many small firms are still unlikely to qualify for insurance and will have to rely on state trust funds for financial responsibility; (6) EPA gave final or conditional approval to 23 state trust funds; (7) EPA exercised its discretion not to use its full enforcement authority to discover and penalize violations; (8) EPA was not willing to formally defer enforcement or postpone by regulation the deadline for large- and medium-sized firms; and (9) EPA failed to consider sales contract violations by tank operators when it developed the

#### 140967

regulations.

(Utilities' Potential Use of Clean Coal Technologies]. T-RCED-90-56. March 28, 1990. 11 pp. plus 1 attachment (3 pp.). Testimony before the House Committee on Banking, Finance and Urban Affairs: **Economic Stabilization** Subcommittee; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-80, March 29, 1989, Accession Number 138396; T-RCED-89-25, April 13, 1989, Accession Number 138441; and RCED-90-67, March 19, 1990, Accession Number 140907.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy; Environmental Protection Agency.

Congressional Relevance: House Committee on Banking, Finance and Urban Affairs: Economic Stabilization Subcommittee.

Abstract: GAO discussed the results of its nationwide survey on utilities' plans to use clean coal technologies. GAO

found that: (1) utilities planned to use clean coal technologies for only 5 percent of their coal-fired generating units; (2) consideration of specific technologies depended on the severity of emission reduction requirements, target dates for compliance, and present and future electricity demands; and (3) utilities considered switching to lowsulfur coal to achieve emission reduction requirements. GAO also found that: (1) new technologies may not contribute significantly to the reduction of acidrain-causing emissions during the next 15 years; (2) the Department of Energy experienced problems and delays in formalizing cooperative agreements with project sponsors; and (3) utilities would likely test new technologies on one unit before installing them on others.

#### 140968

[Five Latin American Countries' Controls Over the Registration and Use of Pesticides]. T-RCED-90-57. March 28, 1990. 10 pp. plus 3 appendices (10 pp.). Testimony before the Senate Committee on Agriculture, Nutrition, and Forestry; by John Harman, Director, Food and Agriculture Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-149BR, May 10, 1988, Accession Number 135821; RCED-89-128, April 25, 1989, Accession Number 138544; and RCED-90-55, March 22, 1990, Accession Number 140990.

Contact: Resources, Community, and Economic Development Division.

# Organization Concerned:

Environmental Protection Agency; Food and Drug Administration; Republic of Chile; Republic of Costa Rica; Republic of Guatemala; Dominican Republic; United Mexican States.

Congressional Relevance: Senate Committee on Agriculture, Nutrition, and Forestry.

Authority: 40 C.F.R. 180. Insecticide, Fungicide, and Rodenticide Act. Abstract: GAO discussed five foreign governments' regulatory controls over the registration and use of pesticides. GAO found that: (1) each of the five countries had laws and regulations controlling pesticide availability and use; (2) government monitoring and enforcement activities in all of the countries except one were generally limited; and (3) resource constraints limited the governments' ability to obtain information on U.S. pesticide requirements and disseminate it to export growers. GAO also found that

each country: (1) prohibited registration for pesticides that the Environmental Protection Agency (EPA) cancelled or suspended; (2) required registrants to submit a certificate of free sale from the country of origin stating that the pesticide was legal for use; (3) used international maximum residue limits to establish the amount of acceptable pesticide residue on foods; (4) provided for reregistration reviews and procedures to revoke registration when adverse health, safety, or environmental factors became known; and (5) experienced no-tolerance violations on produce exported to the United States because U.S. tolerances had not been established for those specific crops.

#### 140971

[Lawn Care Pesticide Risks Remain Uncertain While Prohibited Safety Claims Continue]. T-RCED-90-53. March 28, 1990. 14 pp. *Testimony* before the Senate Committee on Environment and Public Works: Toxic Substances, Environmental Oversight, Research and Development Subcommitt ee; by Peter F. Guerrero, Associate Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-134, March 23, 1990, Accession Number 140991; RCED-86-97, April 18, 1986, Accession Number 130205; and T-RCED-89-40, May 15, 1989, Accession Number 138613.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned:

Environmental Protection Agency; Federal Trade Commission.

Congressional Relevance: Senate Committee on Environment and Public Works: Toxic Substances, Environmental Oversight, Research and Development Subcommittee.

Authority: Insecticide, Fungicide and Rodenticide Act. Insecticide, Fungicide, and Rodenticide Act Amendments (Federal).

Abstract: GAO discussed: (1) the Environmental Protection Agency's (EPA) progress in reassessing the health risks of common lawn care pesticides; (2) information the pesticide industry provides to the public on product safety; and (3) federal enforcement actions taken against prohibited pesticide safety advertising claims, GAO noted that: (1) EPA has not fully reassessed the health risks of commonly used lawn care pesticides; (2) EPA subjected six pesticides to special review because of concerns about their chronic health and

environmental effects; (3) EPA prohibited many uses of and imposed new labelling requirements for diazinon, the most popular lawn care pesticide; (4) EPA took few formal enforcement actions against unacceptable pesticide safety advertising claims; (5) neither the Federal Trade Commission (FTC) nor EPA knew how many improper advertising cases EPA had referred to FTC; (6) FTC rarely initiated action against improper advertising claims, and FTC preferred to defer to EPA in such matters because of its statutory authority and greater expertise; and (7) professional lawn care pesticide applicators were making claims that could discourage users from following safety guidelines and could lead consumers to believe that certain pesticides were safe or nontoxic.

#### 140978

[Adequacy of the Regulatory Oversight of the Trans-Alaska Pipeline and Terminal]. T-RCED-90-55. March 29, 1990. 8 pp. Testimony before the House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee; by James Duffus, III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Alyeska Pipeline Service Co.; Bureau of Land Management; Department of Transportation: Research and Special Programs Administration: Office of Pipeline Safety; Alaska; Environmental Protection Agency.

Congressional Relevance: House Committee on Interior and Insular Affairs: Water, Power and Offshore Energy Resources Subcommittee. . Authority: Hazardous Liquid Pipeline Safety Act of 1979.

Abstract: GAO discussed the adequacy of federal, state, and private regulatory oversight to ensure the safe operation and maintenance of the Trans-Alaska Pipeline System (TAPS). GAO noted that: (1) several federal and state government agencies had oversight responsibilities regarding TAPS operation and maintenance and compliance with various safety, emergency response, and environmental requirements; (2) none of the agencies had the necessary disciplined oversight approach, detailed guidance on monitoring or enforcement procedures, adequate numbers of well-trained staff, or clear lines of regulatory and oversight

authority; (3) agencies performed only limited oversight of TAPS; (4) although several agencies and the TAPS agent were aware of long-standing pipeline corrosion problems, they did not require increased monitoring for corrosion, did not independently assess corrosion detection data, and did not determine the extent, severity, and causes of corrosion problems; (5) no agency had tested the TAPS agent's emergency response capability and plan for oil spills; and (6) in response to the Exxon Valdez oil spill, several agencies sought to improve oil spill prevention, as well as TAPS oversight and coordination, through formation of a joint committee to review spill contingency plans and through increased monitoring, staffing, and expertise. GAO believes that a unified oversight approach, with designated leadership for such areas as prevention, detection, and spill response. is needed to ensure the safe operation and maintenance of TAPS.

#### 140990

Food Safety and Quality: Five Countries' Efforts to Meet U.S. Requirements on Imported Produce. RCED-90-55; B-237768.1. March 22, 1990.

Released March 30, 1990. 68 pp. plus 6 appendices (16 pp.). Report to Rep. Leon E. Panetta, Former Chairman, House Committee on Agriculture: Domestic Marketing, Consumer Relations, and Nutrition Subcommittee; Rep. Frank Horton; by John Harman, Director, Food and Agriculture Issues, Resources, Community, and Economic Development Division. Refer to RCED-89-128, April 25, 1989, Accession Number 138544; RCED-86-219, September 26, 1986, Accession Number 131729; RCED-88-149BR, May 10, 1988, Accession Number 135821; RCED-87-7, October 27, 1986, Accession Number 131730; and T-RCED-90-57, March 28, 1990, Accession Number 140968.

Issue Area: Food and Agriculture: Other Issue Area Work (6591); Environmental Protection: Assessing How The Federal Pesticide Program Protects Public Health and the Environment From Unreasonable Risks (6806).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Agriculture: Import-Export Issues (352.1); Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Department of Agriculture; Environmental Protection Agency; Food and Drug Administration; Agency for International Development.

Congressional Relevance: House Committee on Agriculture: Domestic Marketing, Consumer Relations, and Nutrition Subcommittee; Congress; Rep. Frank Horton: Rep. Leon E. Panetta. Insecticide, Fungicide and Rodenticide Act (7 U.S.C. 1360). Pesticide Monitoring Improvements Act of 1988. Omnibus Trade and Competitiveness Act of 1988 (P.L. 100-418). Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 608e-1). 40 C.F.R. 180. 40 C.F.R. 185. General Agreement on Tariffs and Trade, Oct. 30, 1947, Multilateral, 61 Stat. 5(6), T.I.A.S. No. 1700. 53 Fed. Reg. 5043. Caribbean Basin Economic Recovery Act (P.L. 98-67; 97 Stat. 384). Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (P.L. 101-167). Foreign Assistance and Related Programs Appropriation Act, 1987 (100 Stat. 3341). Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.). H.R. 2026 (101st Cong.). H.R. 3567 (101st Cong.). S. 1729 (101st Cong.). H. Rept. 101-344. 22 C.F.R. 216. Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq.).

Abstract: Pursuant to a congressional request, GAO reviewed: (1) government and private-sector pesticide controls over exported fresh produce in five countries; (2) federal agencies' efforts to help foreign countries improve their pesticide registration and practices; and (3) U.S., state, and private industry responsibilities in monitoring imported produce.

Findings/Conclusions: GAO found that: (1) the foreign governments' pesticide registration practices affected the presence and composition of pesticide residues on their exported produce; (2) the foreign governments allowed the use of 110 registered pesticides that did not have Environmental Protection Agencyestablished tolerance levels; (3) like the United States, the foreign governments did not design their food safety and quality systems to meet other countries' import requirements, but rather to address domestic needs and issues; (4) exporting countries faced many varied pesticide requirements; (5) some countries' export sectors tried to use management practices that considered U.S. pesticide residue requirements; (6) an agreement with Uruguay included proposals to harmonize food safety and sanitary requirements as a way to reduce their use as technical trade barriers; and (7) several U.S. agencies and international organizations provided assistance related to pesticide use to developing countries.

Recommendation To Congress: Congress may wish to consider establishing tolerances for additional crops and increasing the flow of information, which could help: (1) increase U.S. consumers' confidence about the safety and quality of imported foods; (2) provide U.S. consumers with a larger variety of foods during a greater part of the year; and (3) developing countries, many of which are debtor nations, increase their exports to the United States.

#### 140991

Lawn Care Pesticides: Risks Remain Uncertain While Prohibited Safety Claims Continue. RCED-90-134; B-238781. March 23, 1990. Released March 30, 1990. 24 pp. plus 1 appendix (1 pp.). Report to Sen. Harry M. Reid, Chairman, Senate Committee on Environment and Public Works: Toxic Substances, Environmental Oversight, Research and Development Subcommitt ee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-86-97, April 18, 1986, Accession Number 130205; T-RCED-89-40, May 15, 1989, Accession Number 138613; and T-RCED-90-53, March 28, 1990, Accession Number 140971.

Issue Area: Environmental Protection: Assessing How The Federal Pesticide Program Protects Public Health and the Environment From Unreasonable Risks (6806).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency; Federal Trade Commission.

Congressional Relevance: Senate
Committee on Environment and Public
Works: Toxic Substances, Environmental
Oversight, Research and Development
Subcommittee; Sen. Harry M. Reid.
Authority: Insecticide, Fungicide and
Rodenticide Act. Insecticide, Fungicide,
and Rodenticide Act Amendments
(Federal).

Abstract: Pursuant to a congressional request, GAO reviewed: (1) the information that manufacturers, distributors, and professional applicators of lawn care pesticides provided to the public about product safety; (2) federal enforcement actions taken against unacceptable advertising claims; and (3) the re-registration status of 34 widely used lawn care pesticides.

Findings/Conclusions: GAO found that: (1) the lawn care pesticides industry made prohibited product safety claims that differed substantially from claims the Environmental Protection Agency

(EPA) allowed as part of product registration; (2) EPA cited limited resources and its focus on product misuse as reasons for assigning a lower enforcement priority to such false and misleading claims; (3) EPA lacked an effective program for monitoring pesticide manufacturers' and distributors' compliance with registration requirements; (4) although the Federal Trade Commission (FTC) had authority to act against false and misleading safety advertising, it preferred to defer to EPA in such matters because of its expertise and legislative authority: (5) FTC believed that EPA was informally handling professional applicators' safety advertising, although EPA lacked authority to do so; (6) EPA remained at a preliminary stage in reassessing the risks of lawn care pesticides under its reregistration program; and (7) EPA had not completely reassessed any of the 32 older lawn care pesticides that were subject to re-registration.

Recommendation To Agencies: Because EPA does not have authority over pesticide applicator claims, and since FTC, which has this authority, prefers to defer to EPA because of its technical expertise, the Administrator, EPA, should seek, in cooperation with appropriate congressional committees, legislative authority over safety claims by professional pesticide applicators. In order to protect the public from prohibited pesticide safety claims, the Administrator, EPA, should develop an enforcement strategy for monitoring lawn pesticide industry compliance with the Federal Insecticide, Fungicide, and Rodenticide Act, section 12(a)(1)(B), that will make better use of EPA resources.

# 141007

[Observations on Aflatoxin Detection and Control Activities of Federal, State, and Private Organizations]. T-RCED-90-60. April 2, 1990. 11 pp. *Testimony* before the House Committee on Agriculture: Wheat, Soybeans, and Feed Grains Subcommittee; by John Harman, Director, Food and Agriculture Issues, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division.

Organization Concerned: Food and Drug Administration; Department of Agriculture: Agricultural Marketing Service; Department of Agriculture: Federal Grain Inspection Service.

Congressional Relevance: House Committee on Agriculture: Wheat,

Soybeans, and Feed Grains Subcommittee.

Authority: Administrative Procedure Act (5 U.S.C. 553).

Abstract: GAO discussed the relative food safety risk of aflatoxin, a naturally occurring toxin produced by a common fungus, focusing on aflatoxin detection and control and the extent of aflatoxin in the U.S. corn crop. GAO noted that: (1) food safety experts considered aflatoxin to be a serious food safety concern, ranking it less serious than microbial and environmental contaminants and more serious than pesticide residues and additives; (2) aflatoxin could enter the food supply directly through such products as peanut butter or corn meal or indirectly in the milk or meat of animals eating aflatoxin-contaminated feed; (3) the Food and Drug Administration (FDA) did not believe the U.S. food supply to be at risk of dangerously high aflatoxin levels; (4) aflatoxin testing was difficult because of the large volume of grain involved and other testing problems; (5) various federal, state, and private groups had testing and quality control procedures to ensure food safety, market efficiency, and profitability; (6) FDA did not monitor all affected foods and feeds for aflatoxin, but did require food and feed manufacturers to comply with product quality control regulations; and (7) there was not adequate information to determine the extent of aflatoxin contamination in the U.S. corn crop.

## 141081

Cosmetics Regulation: Information on Voluntary Actions Agreed to by FDA and the Industry. HRD-90-58; B-237810. March 13, 1990. Released April 10, 1990. 5 pp. plus 6 appendices (8 pp.). Report to Rep. Ron Wyden, Chairman, House Committee on Small Business: Regulation, Business Opportunities and Energy Subcommittee; by Mark V. Nadel, Associate Director, National and Public Health Issues, Human Resources Division. Refer to HRD-78-139, August 8, 1978, Accession Number 106839.

Issue Area: Public Health and National Health Issues: Effectiveness of Public Health Agencies in Meeting Congressional Expectations (7703).

Contact: Human Resources Division.

Budget Function: Health: Consumer and Occupational Health and Safety (554.0).

Organization Concerned: Food and Drug Administration; Cosmetic, Toiletry, and Fragrance Association.

Congressional Relevance: House Committee on Small Business:

Regulation, Business Opportunities and Energy Subcommittee; Rep. Ron Wyden. Abstract: Pursuant to a congressional request, GAO reviewed the Food and Drug Administration's (FDA) and a cosmetics industry association's actions to increase: (1) voluntary registration of cosmetics establishments; and (2) safety data and injury reporting by cosmetics manufacturers, packers, or distributors. Findings/Conclusions: GAO found that: (1) FDA and the association took measures to encourage greater industry participation in the voluntary registration program, which included reducing paperwork and emphasizing the importance of registration at industry meetings, but could not accurately assess how many companies were avoiding participation or whether industry efforts resulted in increased reporting of safety testing; (2) the number of companies registered increased from 94 to 778 between 1988 and 1989; (3) many manufacturers lacked adequate data on safety tests and refused to disclose the results of the tests; (4) about 3 percent of an estimated 4,000 to 5,000 cosmetic distributors filed injury reports; and (5) FDA had no plans to conduct safety reviews or priority ranking of toxic chemicals.

#### 141084

Medical Waste Regulation: Health and Environmental Risks Need to Be Fully Assessed. RCED-90-86; B-236282. March 6, 1990.

Released April 10, 1990. 49 pp. plus 4 appendices (5 pp.). Report to Rep. Ron Wyden, Chairman, House Committee on Small Business: Regulation, Business Opportunities and Energy Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

# **Organization Concerned:**

Environmental Protection Agency; Public Health Service: Centers for Disease Control: Agency for Toxic Substances and Disease Registry. Congressional Relevance: House Committee on Appropriations: VA, HUD, and Independent Agencies Subcommittee; House Committee on Energy and Commerce; House Committee on Small Business: Regulation, Business Opportunities and Energy Subcommittee; Senate Committee on Appropriations: VA, HUD, and Independent Agencies Subcommittee; Senate Committee on Environment and Public Works; Rep. Ron Wyden.

Authority: P.L. 101-45. Resource Conservation and Recovery Act of 1976. Medical Waste Tracking Act of 1988. Abstract: Pursuant to a congressional request, GAO assessed: (1) selected states' infectious medical waste regulatory programs; and (2) the status of the Environmental Protection Agency's (EPA) implementation of the Medical Waste Tracking Act. Findings/Conclusions: GAO found that the states': (1) generator regulations varied; (2) legislation or regulations generally defined what types of medical waste should be considered infectious and set appropriate requirements, but the definitions varied; and (3) inspection processes varied and the states conducted a limited number of inspections, and took few enforcement actions. GAO also found that EPA issued regulations for a demonstration program which: (1) listed medical waste types to be regulated and specified tracking procedures; and (2) were criticized for including waste that did not present a substantial health risk and for not including some infectious items. GAO also found that EPA reported on extensive data gathering efforts for a required health hazard assessment, but realized that more research might be needed to assess the risks.

Recommendation To Agencies: To help ensure that concerns about mismanaged medical waste and the need for federal regulation are adequately addressed in a timely manner, the Administrator, EPA, should develop a plan to identify and fill the gaps in the data needed to determine the level of threat to public health and the environment posed by medical waste as soon as practicable. To help ensure that concerns about mismanaged medical waste and the need for federal regulation are adequately addressed in a timely manner, the Administrator, EPA, should begin to develop a process for bringing together the Centers for Disease Control and other federal agencies, the medical and waste management industries, the states, environmental groups, and other parties, as appropriate, to obtain consensus on a definition of infectious waste and the other medical waste that needs to be regulated or receive other special attention. The Administrator, EPA, should consider, under what, if any,

circumstances untreated infectious waste may be landfilled, and whether standard procedures or controls are needed to: (1) protect the health and safety of landfill workers at sites where it is allowed; and (2) prevent pathogens from migrating to groundwater underlying the sites. The Administrator, EPA, should consider: (1) the impacts on receiving waters and public health from hospitals and other medical facilities discharging infectious waste to combined sanitary and storm sewers; (2) the occupational health risks to hospital and sewer system workers from exposure to those wastes; and (3) whether household disposal of medical waste to sewers presents similar environmental, public health, or occupational risks. The Administrator, EPA, should consider: (1) what minimum temperature and residence time are needed to effectively incinerate infectious waste, and whether national standards are needed; (2) for what substances should air emission limits be established for medical waste incinerators, and whether the ash should be tested before it is landfilled; (3) whether operators of medical waste incinerators should be certified: (4) whether the incinerators should be inspected at set intervals to determine if performance standards are being complied with; and (5) whether those siting medical waste incinerators should consider prevailing winds and nearby buildings. The Administrator, EPA, should consider: (1) whether autoclaving is effective for all types of infectious wastes, or other treatment methods should be used for certain waste types: (2) what minimum temperature, residence time, and pressure should be maintained throughout the autoclaving process, and whether those conditions should be established by national standards; (3) what documentation of performance efficiency autoclave operators should be required to maintain; (4) how frequently autoclaves should be inspected; and (5) assurances that should be provided to landfill operators that infectious waste has been effectively autoclaved.

# 141090

Water Pollution: Serious Problems Confront Emerging Municipal Sludge Management Program. RCED-90-57; B-236805. March 5, 1990.

Released April 11, 1990. 44 pp. plus 1 appendix (1 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter

Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-101, April 25, 1989, Accession Number 138727.

Issue Area: Environmental Protection: Assessing How Water Pollution Facilities Are Reducing Pollutants From the Nation's Waters (6804). Contact: Resources, Community, and

Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency. Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Clean Water Act of 1977. Water Quality Act of 1987. Water Pollution Control Act Amendments of 1972 (Federal).

Abstract: Pursuant to a congressional request, GAO assessed the Environmental Protection Agency's (EPA) development of a mandated municipal sludge management program, focusing on: (1) the status of EPA and state municipal sludge management efforts; (2) potential obstacles to permanent program implementation; and (3) key issues concerning EPA development of technical sludge standards.

Findings/Conclusions: GAO found that: (1) few states were willing to fully participate in the program because of limited resources, and participating states' programs omitted key responsibilities; (2) EPA had not completed its inventories of priority sludge-generating facilities; (3) EPA did not properly enforce or approve technical sludge standards; (4) overly stringent technical standards could eliminate most beneficial sludge uses; and (5) regulatory delays and uncertainities have inhibited states' participation in the interim program and willingness to seek approval for the permanent program.

Recommendation To Agencies: To improve regions' and states' performance in the interim program and to lay the foundation for their implementation of the permanent program, EPA headquarters needs to build on its ongoing efforts to improve the way it tracks their performance. Specifically, the Administrator, EPA, should direct that modifications be made so that EPA can track the: (1) number of permits that are required to include sludge conditions as well as the number that actually do

include the conditions; and (2) content of the conditions, such as whether pollutant concentration levels are being included for different sludge use and disposal practices. To improve the prospects for an effective permanent sludge program, the Administrator, EPA, should take measures to ensure that a strong enforcement component is in place when the permanent sludge program begins. Among the key elements that should be included are: (1) criteria for significant noncompliance so that enforcement priorities can be determined; (2) criteria for timely and appropriate enforcement so that the type and timing of enforcement is known to both regulators and publicly owned treatment works; and (3) effective oversight of EPA regional and state enforcement efforts by headquarters. Given the problems posed by funding constraints for the sludge program and the prospect that EPA alternative financing efforts could help alleviate these types of problems, the Administrator, EPA, should direct its sludge program officials to supplement those broader agency efforts by assisting publicly owned treatment works and state sludge officials in seeking alternative ways to fund state sludge programs. In light of the long history of delays in issuing technical sludge regulations, the prospect of continuing difficulties, and the significance of timely development of those regulations to the emerging national sludge management program, the Administrator, EPA, should closely track EPA progress in its efforts to promulgate them. Specifically, the Administrator should ensure that further delays are minimized as EPA incorporates the views of interested parties on the draft technical regulations it proposed in February 1989.

# 141107

Energy Management: Extent of Crude Oil Contamination Is Uncertain. RCED-90-114BR; B-236565. March 8, 1990.

Released April 13, 1990. 30 pp. plus 3 appendices (5 pp.). Briefing Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Improving National Policies and Programs Affecting Energy Security (6405).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Supply (271.0).

Organization Concerned:
Environmental Protection Agency;
Department of Transportation: Research
and Special Programs Administration:
Office of Pipeline Safety; Louisiana;
Occupational Safety and Health
Administration; Oklahoma; California;
Texas.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: Resource Conservation and Recovery Act of 1976. Hazardous Liquid Pipeline Safety Act of 1979.

Abstract: Pursuant to a congressional request, GAO reviewed allegations of crude oil contamination, focusing on: (1) the extent and types of contamination; (2) how environmental legislation has affected the contamination issue; and (3) corrective actions that the government and the oil industry have taken concerning crude oil contamination. Findings/Conclusions: GAO found that: (1) oil industry officials identified 40 cases of crude oil contamination occurring from 1982 to 1989, and 3 of those cases resulted in damaged refinery equipment or refinery fires; (2) all 40 cases involved chloride, iodine, alcohol, bromine, nitrogen, or iron contamination; (3) government and industry officials could not agree on the extent of crude oil contamination, but the Environmental Protection Agency and other government agencies generally believed that refining the contaminated oil would not cause unusual risks to health and the environment; (4) although environmental legislation generally prohibited disposal of hazardous wastes in crude oil, it exempted certain hazardous waste generated from oil exploration and production, and toxic substances found in used oil; (5) eight of nine oil refineries conducted routine testing of crude oil for basic properties, but limited the frequency and accuracy of testing for toxic materials; (6) three oil companies had taken legal or other actions against suppliers suspected of providing contaminated crude oil; and (7) state and federal regulatory agencies had taken only limited action to prevent crude oil contamination.

## 141115

[Efforts to Improve DOE's Management of the Nuclear Weapons Complex]. T-RCED-90-64.

March 28, 1990. 11 pp. Testimony before the House Committee on Science, Space, and Technology: Natural Resources, Agriculture Research and Environment Subcommittee; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division.

Contact: Resources, Community, and Economic Development Division. Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Science, Space, and Technology: Natural Resources, Agriculture Research and Environment Subcommittee.

Abstract: GAO discussed the Department of Energy's (DOE) efforts to resolve environmental, safety, and health problems at its nuclear weapons facilities. GAO found that DOE: (1) took a number of initiatives to deal with major problems involving facility deterioration, noncompliance with environmental, safety, and health standards, improper disposal of radioactive wastes, and contaminated groundwater; (2) issued strategic plans for modernization and environmental cleanup activities at its facilities, and made efforts to hold its contractors more accountable; (3) restructured its oversight and management functions to ensure the safe operation of its facilities; and (4) began facility assessments to determine whether they met federal, state, and local environmental, safety, and health standards. GAO concluded that successful management of DOE nuclear facilities depended on: (1) effective coordination among program offices; (2) recruitment of technically qualified staff; and (3) the commitment to resolve environmental, safety, and health problems at all departmental levels.

# 141151

Nuclear Regulation: The Military Would Benefit From a Comprehensive Waste Disposal Program. RCED-90-96; B-238533. March 23, 1990.

Released April 19, 1990. 43 pp. plus 3 appendices (5 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416).

Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Defense; Nuclear Regulatory Commission; Department of the Air Force; Department of the Navy; Department of the Army; Department of the Air Force: Wright-Patterson AFB, OH.

Congressional Relevance: Senate Committee on Governmental Affairs; Sen. John H. Glenn.

Authority: Atomic Energy Act of 1954. Low-Level Radioactive Waste Policy Act. Energy Reorganization Act of 1974. Low-Level Radioactive Waste Policy Amendments Act of 1985. 10 C.F.R. 19. 10 C.F.R. 20. 10 C.F.R. 21. 10 C.F.R. 30. 10 C.F.R. 40. 10 C.F.R. 50. 10 C.F.R. 70. 10 C.F.R. 71.

Abstract: Pursuant to a congressional request, GAO compared the Army's, Navy's, and Air Force's low-level radioactive waste disposal practices. Findings/Conclusions: GAO found that: (1) the Department of Defense (DOD) lacked a comprehensive waste disposal program; (2) none of the three services had complete information on the amounts or types of low-level radioactive waste generated or disposed of; (3) the Navy lacked a low-level radioactive waste disposal program, while the Air Force participated in the Army's disposal program; (4) the services' stockpiling of waste, pending long-term disposal at three commercial sites, increased the potential for accidental releases of waste similar to that which occurred at the Wright-Patterson Air Force Base (AFB) in 1986; (5) commercial sites have periodically banned the Army and the Air Force for failure to comply with federal and state waste packaging and shipping requirements; (6) compliance problems could worsen after 1993, when there could be as many as 16 different interstate compact and state disposal requirements; (7) significant differences existed among and within the services regarding waste disposal management expertise and training. volume-reduction techniques, and use of cost-effective methods; (8) commercial sites' surcharges and penalties resulted in DOD paying almost twice the actual cost of waste disposal; and (9) two of the three commercial sites will close by December 1992, increasing the likelihood that DOD will store waste or seek exemptions to dispose of waste outside each generator's region if no other sites become available.

Recommendation To Agencies: To ensure that all DOD installations appropriately manage and dispose of low-level radioactive waste and reduce the potential for another incident similar to the one at Wright-Patterson AFB, the Secretary of Defense should establish a comprehensive low-level radioactive waste disposal program at a high departmental level. To ensure that all DOD installations appropriately manage and dispose of low-level radioactive waste and reduce the potential for another incident similar to the one at Wright-Patterson AFB, the Secretary of Defense should establish uniform policies and procedures for the program and institute a mechanism to ensure compliance throughout DOD with the requirements. To ensure that all DOD installations appropriately manage and dispose of low-level radioactive waste and reduce the potential for another incident similar to the one at Wright-Patterson AFB, the Secretary of Defense should develop an inventory of the amounts and types of low-level radioactive waste that are stored or buried at all installations. To ensure that all DOD installations appropriately manage and dispose of low-level radioactive waste and reduce the potential for another incident similar to the one at Wright-Patterson AFB, the Secretary of Defense should require all DOD installations to institute consistent waste minimization and treatment techniques. To ensure that all DOD installations appropriately manage and dispose of low-level radioactive waste and reduce the potential for another incident similar to the one at Wright-Patterson AFB, the Secretary of Defense should develop a strategy for dealing with low-level waste after 1992, including working with other federal agencies, compacts, and states to determine the feasibility of dedicating a portion of one or more sites for the government's use. In those discussions. DOD should ensure that low-level radioactive waste generated overseas would be accepted for disposal.

#### 141153

Nuclear Health and Safety: Need for Improved Responsiveness to Problems at DOE Sites. RCED-90-101; B-231293.2. March 28, 1990. Released April 19, 1990. 9 pp. plus 4 appendices (22 pp.). Report to Sen. Howard M. Metzenbaum; Rep. George Miller; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to T-RCED-89-9, February 21, 1989, Accession Number

138026; and RCED-90-125, April 20, 1990, Accession Number 141399.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy.

Congressional Relevance: Rep. George Miller; Sen. Howard M. Metzenbaum. Authority: Clean Air Act. Safe Drinking Water Act. Resource Conservation and Recovery Act of 1976. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Clean Water Act of 1977.

Abstract: Pursuant to a congressional request, GAO provided information about the Department of Energy's (DOE) and its contractors' responsiveness to DOE technical safety appraisals and environmental surveys of contractoroperated facilities and sites. Findings/Conclusions: GAO found that: (1) DOE has conducted 48 technical safety appraisals of facilities and operations at DOE sites between 1986 and the present; (2) DOE has conducted environmental surveys at 37 sites between 1985 and the present; (3) the appraisals and surveys identified over 1,700 safety and health problems and almost 1,300 environmental problems at the sites; (4) DOE and its contractors resolved 591, or 34 percent, of identified health and safety problems, including 46 of the 113 highest-priority problems; (5) DOE has not completely resolved any of the identified environmental problems, many of which it characterized as very serious and complex; and (6) the DOE computer-assisted tracking system did not include all of the important information necessary to provide a comprehensive picture of identified environmental, safety, and health problems.

Recommendation To Agencies: To reaffirm DOE commitment to environmental, safety, and health problem identification and correction, the Secretary of Energy should require that an overall management plan be developed with clear goals and time frames for: (1) resolving DOE sites' environmental, safety, and health problems identified in technical safety appraisals and environmental surveys; and (2) following up to verify that corrective actions are adequate, in order to help hold line management and oversight officials at headquarters and in the field more accountable for accomplishing those tasks. To reaffirm

DOE commitment to environmental, safety, and health problem identification and correction, the Secretary of Energy should require that the computerassisted tracking system be systematically expanded, by establishing an overall management plan and milestones, to include more comprehensive data for the use of DOE line management and oversight officials in monitoring sites' environmental, safety, and health problems. As the capabilities of the computer tracking system are enhanced, the Secretary of Energy should promote the system's use at various management levels throughout DOE to help ensure timely correction of environmental, safety, and health problems.

## 141159

Hazardous Waste: Status and Resources of EPA's Corrective Action Program. RCED-90-144; B-239014. April 19, 1990.

Released April 19, 1990. 4 pp. plus 6 appendices (30 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by Richard L. Hembra, Director, Environmental Protection Issues, Resources, Community, and Economic Development Division. Refer to RCED-88-115, July 19, 1988, Accession Number 136383.

Issue Area: Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell.

Authority: Hazardous and Solid Waste Amendments of 1984. Resource Conservation and Recovery Act of 1976.

Abstract: Pursuant to a congressional request, GAO reviewed the Environmental Protection Agency's (EPA) corrective action program under the Resource Conservation and Recovery Act (RCRA), as amended, focusing on the: (1) status of the program at RCRA facilities; and (2) staff level EPA committed to the corrective action program.

Findings/Conclusions: GAO found that:
(1) EPA had not assessed most RCRA

facilities to determine whether potential leaks existed; (2) EPA had proceeded with remedies at 95 facilities; (3) in fiscal year (FY) 1989, EPA committed 216 staff years to the corrective action program, and EPA estimated that it would use 118 staff years for critical oversight of cleanup activities; (4) EPA estimated that its 10 regional offices needed over 300 staff years for oversight; (5) for FY 1990 and FY 1991, EPA budgeted more staff resources to corrective action; and (6) in order for EPA to meet RCRA provisions, all of the corrective action resources would have to be devoted to performing assessments and issuing corrective action permits, resulting in few regional staff resources being available for oversight.

#### 141176

Space Program: Space Debris a Potential Threat to Space Station and Shuttle. IMTEC-90-18; B-237832. April 6, 1990.

Released April 23, 1990. 29 pp. plus 2 appendices (6 pp.). Report to Rep. Robert A. Roe, Chairman, House Committee on Science, Space, and Technology; by Ralph V. Carlone, Assistant Comptroller General, Information Management and Technology Division. Refer to OCG-89-15TR, November 1988, Accession Number 137341.

Issue Area: Information Management and Technology: Assessing Whether DOD and NASA Are Effectively Developing and Operating Information Technologies To Meet Military and Civilian Needs in Space (7122).

Contact: Information Management and Technology Division.

Budget Function: General Science, Space, and Technology: Space Science, Applications, and Technology (254.0).

Organization Concerned: National Aeronautics and Space Administration; Department of Defense.

Congressional Relevance: House
Committee on Science, Space, and
Technology; Rep. Robert A. Roe.
Abstract: Pursuant to a congressional
request, GAO reviewed the National
Aeronautics and Space Administration's
(NASA) response to the space debris
issue, focusing on: (1) its plans and cost
estimates for protecting the planned
space station from debris; (2) NASA and
Department of Defense (DOD) debris
tracking capabilities; and (3) the effect of
orbital debris on space shuttle
operations.

Findings/Conclusions: GAO found that:
(1) NASA had not revised documents
used to guide contractors in designing
the station to accommodate the effects of

space debris; (2) NASA made progress in revising its 1984 debris model, which could increase costs; (3) NASA planned to assess debris hazards; (4) NASA considered a combination of shuttle protective techniques but, without updated and complete information, could not conclude which techniques were the most protective; (5) NASA planned to finalize the space station's design requirements in 1992; (6) NASA relied on DOD radar and optical sensors to track space objects, but only about 3.5 percent of the tracked objects were smaller than 10 centimeters, and NASA planned to use a separate facility to track objects measuring between 1 and 10 centimeters; (7) although there was no severe damage, various shuttles had shown evidence of being hit by debris; (8) NASA made provisions in its shuttle flight rules to require collision avoidance maneuvers, but ordered no such maneuvers during the first five missions under the new rules; and (9) potential shuttle risks were expected to increase because of longer shuttle missions and increased debris.

Recommendation To Agencies: The Administrator, NASA, should initiate and complete the needed risk, hazard, and cost analyses associated with a valid space debris estimate in time for their results to be incorporated into the final design requirements for the space station scheduled for 1992. The Administrator, NASA, should perform a risk and hazards assessment for the shuttle that factors in the anticipated increases in the debris environment and longer duration missions.

#### 141203

Gasoline Marketing: Consumers Have Limited Assurance That Octane Ratings Are Accurate. RCED-90-50; B-227776. April 16, 1990.

Released April 26, 1990. 34 pp. plus 1 appendix (1 pp.). Report to Rep. Philip R. Sharp, Chairman, House Committee on Energy and Commerce: Energy and Power Subcommittee; Rep. Charles E. Schumer; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Energy: Other Issue Area Work (6491).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Energy: Energy Supply (271.0).

Organization Concerned: Federal Trade Commission; Environmental Protection Agency.

Congressional Relevance: House Committee on Energy and Commerce: Energy and Power Subcommittee; Congress; Rep. Charles E. Schumer; Rep. Philip R. Sharp.

Authority: Petroleum Marketing Practices Act. Trade Commission Act. 16 C.F.R. 306.11. Federal Managers' Financial Integrity Act of 1982. Clean Air Act.

Abstract: Pursuant to a congressional request, GAO reviewed the Federal Trade Commission's (FTC) and the Environmental Protection Agency's (EPA) implementation of gasoline octane certification and posting requirements. Findings/Conclusions: GAO found that: (1) FTC and EPA did not monitor compliance with octane posting requirements or use octane test results to prosecute violators; (2) there were no federal controls to ensure that gasoline octane postings were accurate; (3) over 9 percent of the gasoline sampled between 1979 and 1987 misstated octane ratings by more than one-half point; and (4) onetime tests of gasoline octane levels in states that did not have an octane testing program revealed that mislabelling ranged from 22 to 53 percent. GAO also found that: (1) there was more potential for mislabelling to occur at distributors or retail stations than at refineries, pipelines, or bulk terminals because those locations lacked extensive quality control programs to test octane ratings; (2) FTC limited octane ratings to traditional gasoline fuels and excluded newer gasolinealcohol blends from posting requirements; and (3) legislation authorized only limited civil remedies and penalties for mislabelling violations. Recommendation To Congress: Congress should amend the Petroleum Marketing Practices Act (PMPA) to include octane certification and posting for gasolinealcohol blends and other alternative motor fuels that may become available to reduce air pollution. Congress should amend PMPA to make it clear that states may employ a range of remedies broader than those available under PMPA to enforce octane posting requirements.

Recommendation To Agencies: The Chairman, FTC, and the Administrator, EPA, in consultation with the appropriate congressional committees and the states, should develop and assess the options that could be employed to monitor compliance with the PMPA octane certification and posting requirements. Such options should include a total federal role, joint federal-state roles, and a total state role in implementing PMPA requirements. This

analysis should include, among other things, the benefits and costs of the various options, including necessary control measures, as well as milestones for their implementation. The Chairman, FTC, and the Administrator, EPA, in consultation with the appropriate congressional committees and the states, should report the results of their evaluations and their recommendations, along with funding requirements and recommendations for any needed legislative changes, to Congress.

#### 141256

Nuclear Waste: Quarterly Report as of December 31, 1989. RCED-90-130; B-202377. April 30, 1990. 8 pp. plus 3 appendices (19 pp.). Report to Sen. J. Bennett Johnston, Chairman, Senate Committee on Energy and Natural Resources; Sen. James A. McClure, Ranking Minority Member, Senate Committee on Energy and Natural Resources; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division.

Issue Area: Energy: Effectiveness and Efficiency of Implementation of National Nuclear Waste Disposal Policies and Programs (6404); Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811). Contact: Resources, Community, and Economic Development Division. Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Environmental Protection Agency; Nuclear Regulatory Commission.

Congressional Relevance: Senate

Committee on Energy and Natural Resources; Senate Committee on Energy and Natural Resources; Sen. James A. McClure; Sen. J. Bennett Johnston. Authority: Nuclear Waste Policy Act of 1982. Nuclear Waste Policy Amendments Act of 1987. 40 C.F.R. 191. Abstract: Pursuant to a congressional request, GAO provided its quarterly status report on the Department of

status report on the Department of Energy's (DOE) implementation of the Nuclear Waste Policy Act of 1982, focusing on the: (1) Nuclear Regulatory Commission's (NRC) ability to implement an Environmental Protection Agency (EPA) containment standard for repository licensing; and (2) impact of that requirement on DOE determination of a proposed repository site's suitability.

Findings/Conclusions: GAO found that: (1) the EPA repository containment standard limited the cumulative release of radioactive material into the environment over a 10,000-year period; (2) NRC expressed concern regarding potential DOE difficulty in satisfactorily demonstrating such compliance, since there were limitations and uncertainties in the methods and data for calculating acceptable levels of risk; (3) NRC collaboratively worked with EPA to develop additional guidance on how DOE could demonstrate compliance with the containment standard and avoid lengthy licensing delays; (4) NRC guidance regarding the standard emphasized maintaining the quality of the scientific work that supported the numerical results of compliance analyses; and (5) both NRC and EPA believed that DOE attempts to characterize the site of its proposed repository would provide valuable insight into potential problems of demonstrating compliance with the containment standard.

# 141274

Railroad Safety: More FRA Oversight Needed to Ensure Rail Safety in Region 2. RCED-90-140; B-235877.3. April 27, 1990.

Released May 4, 1990. 15 pp. plus 6 appendices (9 pp.). Report to Rep. William J. Coyne; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-52, November 3, 1988, Accession Number 137475; RCED-90-43, November 17, 1989, Accession Number 140071; and CED-81-5, November 4, 1980, Accession Number 113856.

Issue Area: Transportation: Assessing Administration of Federal Surface Transportation Safety Requirements (6619); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Transportation: Ground Transportation (401.0).

Organization Concerned: Federal Railroad Administration; Department of Transportation.

Congressional Relevance: Rep. William J. Coyne.

Authority: Railroad Safety Act of 1970 (Federal). Hazardous Materials Transportation Act (49 U.S.C. 1804(b)). 49 C.F.R. 217.7. Rail Safety Improvement Act of 1988. 49 C.F.R. 1.49.

Abstract: Pursuant to a congressional request, GAO reviewed the effectiveness of the Federal Railroad Administration's

(FRA) Region 2 hazardous materials inspection program.

Findings/Conclusions: GAO found that FRA Region 2: (1) did not establish inspection frequency goals and maintain complete, updated lists of hazardous materials inspection points; (2) did not inspect 70 percent of its inspection points in 1987 and 1988; (3) did not have enough inspectors to effectively carry out its inspection program; (4) inspectors prioritized inspections depending on risk, volume, type of hazardous materials, and safety history; and (5) inspectors did not have sufficient knowledge of the scope of FRA inspection responsibilities or information on hazardous materials shippers. GAO also found that: (1) rail system assessments required more resources to evaluate rail safety training and operations: (2) routine inspections most often identified such problems as improper shipping documentation and tank car unloading and identification; (3) FRA relied on the rail industry to enforce speed rules and provided little oversight of railroad speed enforcement actions: and (4) FRA based its hazardous materials routing policy on whether the advantages of reducing public exposure outweighed the disadvantages of diverting traffic to unsafe tracks. Recommendation To Agencies: The Secretary of Transportation should direct the Administrator, FRA, to reemphasize in Region 2 that inspectors add newly identified inspection points to their inspection point lists and keep those lists updated so that the inspection goals and priorities can be set to maximize the use of scarce inspector resources. The Secretary of Transportation should direct the Administrator, FRA, to establish a policy of enforcing train speed limits by citing railroads for exceeding speed limits permitted by the declared classification or track's curvature. The Secretary of Transportation should direct the Administrator, FRA, to increase oversight of railroad speed enforcement actions by: (1) requiring railroads to report information on the amount their speed limits are exceeded in failed tests and the number and types of disciplinary actions taken against employees who speed; and (2) establishing standards for acceptable failure rates in speed tests conducted by railroads, how speed tests should be conducted, and what types of disciplinary action should be taken when failures occur.

#### 141278

Air Pollution: EPA Needs More Data From FHwA on Changes to Highway Projects. RCED-90-72; B-217221. March 20, 1990.

Released May 4, 1990. 8 pp. plus 6 appendices (11 pp.). Report to Rep. John D. Dingell, Chairman, House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division.

Issue Area: Environmental Protection: Assessing EPA's Protection of Public Health and the Environment From Criteria Air Pollutants (6814).

Contact: Resources, Community, and Economic Development Division.

Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned:

Environmental Protection Agency; Department of Transportation; Federal Highway Administration.

Congressional Relevance: House Committee on Energy and Commerce: Oversight and Investigations Subcommittee; Rep. John D. Dingell. Authority: Clean Air Act.

Abstract: Pursuant to a congressional request, GAO addressed the states' implementation of a Clean Air Act requirement that federally funded highway projects conform to plans designed to reduce air pollution. Findings/Conclusions: GAO found that: (1) the Clean Air Act did not specify how state conformity should be determined; (2) the Environmental Protection Agency (EPA) and the Federal Highway Administration (FHwA) disagreed on whether air quality analyses were needed to determine conformity for individual projects; (3) FHwA declined to perform additional air quality analyses that EPA needed to determine the extent of state compliance; (4) local planning agencies did not inform EPA of changes in project plans that could have affected air quality; (5) FHwA officials believed that project traffic forecasts did not show travel induced by new construction to be a significant causal factor for increased ozone pollution; and (6) the Department of Transportation and EPA needed better information on implementing transportation control measures.

Recommendation To Agencies: The Administrator, EPA, should work with the Administrator, FHwA, to develop procedures for reporting on the status of major highway projects. The Administrator, EPA, should take actions to ensure the timely receipt of information on progress in implementing transportation control measures.

141280

Hazardous Waste: Fort Benjamin Harrison's Compliance With Environmental Laws. NSIAD-90-88; B-213706. March 28, 1990.

Released May 4, 1990. 8 pp. plus 5 appendices (23 pp.). Report to Rep. Dan Burton; by Nancy R. Kingsbury, Director, Air Force Issues, National Security and International Affairs Division.

Issue Area: Environmental Protection: Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811); Army: Other Issue Area Work (5591).

Contact: National Security and International Affairs Division.

**Budget Function:** National Defense: Defense-Related Activities (054.0).

Organization Concerned:

Environmental Protection Agency; Department of the Army: Fort Benjamin Harrison, IN; Department of the Army: Army Environmental Hygiene Agency; Indiana: Department of Environmental Management.

Congressional Relevance: Rep. Dan Burton.

Authority: Resource Conservation and Recovery Act of 1976.

Abstract: Pursuant to a congressional request, GAO provided information regarding the Army's compliance with environmental laws at Fort Benjamin Harrison, focusing on: (1) landfills leaching into groundwater; (2) air pollution systems for coal-fired boilers; (3) a hazardous waste storage site; and (4) a pesticide storage building. Findings/Conclusions: GAO found that: (1) the Army corrected one landfill's erosion and soil cover problem; (2) since test results were inconclusive for the other landfill, the state would perform further testing for contaminants; (3) the Army phased out four coal-fired boilers and installed gas-fired boilers; (4) the Environmental Protection Agency cited the Army for noncompliance with hazardous waste laws; and (5) the Army evaluated and suggested upgrades to the pesticide storage site to reduce potential hazards.

141284

Nonhazardous Waste: Environmental Safeguards for Industrial Facilities Need to Be Developed. RCED-90-92; B-235708. April 12, 1990.

Released May 4, 1990. 44 pp. plus 1 appendix (1 pp.). Report to Rep. Thomas A. Luken, Chairman, House Committee on Energy and Commerce:
Transportation and Hazardous Materials

Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-88-115, July 19, 1988, Accession Number 136383.

Issue Area: Environmental Protection; Assessing EPA Implementation of Hazardous and Solid Waste Management Mandates (6811).

Contact: Resources, Community, and Economic Development Division.

**Budget Function:** Natural Resources and Environment: Pollution Control and Abatement (304.0).

Organization Concerned: Environmental Protection Agency.

Congressional Relevance: House Committee on Energy and Commerce: Transportation and Hazardous Materials Subcommittee; Rep. Thomas A. Luken.

Authority: Resource Conservation and Recovery Act of 1976. Federal Managers' Financial Integrity Act of 1982. Hazardous and Solid Waste Amendments of 1984. Clean Water Act of 1977.

Abstract: Pursuant to a congressional request, GAO reviewed: (1) industrial nonhazardous waste facilities' potential for groundwater contamination; and (2) Environmental Protection Agency (EPA) plans to revise its 1979 standards for industrial nonhazardous waste facilities. Findings/Conclusions: GAO found that, between 1985 and 1987, more than 10 percent of industrial facilities: (1) handled small amounts of such hazardous wastes as arsenic, mercury, and strong acids; (2) failed to use environmental controls to prevent or detect groundwater contamination; and (3) monitoring groundwater contamination violated state groundwater protection standards. GAO also found that EPA did not: (1) revise facility standards by March 1988 as required, and made little progress in gathering data necessary to revise the standards; and (2) establish specific tasks or identify the resources necessary to assess and revise the standards. Recommendation To Agencies: To give more focus to its statutory requirements to assess and revise the standards, the Administrator, EPA, should develop a formal strategy to fulfill those requirements. This strategy should establish the objectives, specific tasks to be completed, milestones for completing the tasks, organizational responsibilities for carrying out the tasks, and required resources to carry out the strategy. In addition, the strategy should include an assessment of the standards for all

industrial facilities, as required by the statute.

#### 141336

Greenhouse Effect: DOE's Programs and Activities Relevant to the Global Warming Phenomenon. RCED-90-74BR; B-237780. March 5, 1990.

Released May 11, 1990. 25 pp. plus 3 appendices (24 pp.). Briefing Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to NSIAD-90-63, January 8, 1990, Accession Number 140532.

Issue Area: Energy: Assessing Whether DOE Energy R&D Policy Programs Are Properly Focused on Emerging National Energy Issues Considering Congressional Interest and Budgetary Constraints (6417); Environmental Protection: Other Issue Area Work (6891).

Contact: Resources, Community, and Economic Development Division.

Budget Function: General Science, Space, and Technology: General Science and Basic Research (251.0).

Organization Concerned: Department of Energy.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Rep. Michael L. Synar.

Authority: National Energy Extension Service Act.

Abstract: Pursuant to a congressional request, GAO provided information about Department of Energy (DOE) programs and activities associated with global warming and DOE efforts to incorporate global warming into its energy policy and planning activities, focusing on: (1) scientific understanding of the global warming phenomenon and its research efforts to fill information gaps; (2) DOE program planning and criteria it used for evaluating research and development; and (3) proposed policy or program changes for improving energy efficiency or reducing energyrelated emissions with potential climate change effects.

Findings/Conclusions: GAO found that: (1) scientific understanding of global climate systems has increased in the past few years, but uncertainties remain regarding cloud cover, oceans, and vegetation growth; (2) DOE requested \$28 million for fiscal year (FY) 1990, an increase of \$5 million over FY 1989; (3)

DOE requested about \$1.3 billion for FY 1990 indirectly related research, development, and demonstration programs, an increase of \$330 million over FY 1989; (4) DOE established six principles to guide its approach to global warming and made the issue a central part of its National Energy Strategy; and (5) public and private organizations' proposals addressing global warming included increasing energy efficiency, switching to non-fossil fuels, and reducing emissions from fossil fuel use.

#### 141399

Nuclear Health and Safety: Status of GAO's Environmental, Safety, and Health Recommendations to DOE. RCED-90-125; B-231293. April 20, 1990.

Released May 22, 1990. 6 pp. plus 2 appendices (7 pp.). Report to Rep. George Miller; Sen. Howard M. Metzenbaum; by Victor S. Rezendes, Director, Energy Issues, Resources, Community, and Economic Development Division. Refer to RCED-90-101, March 28, 1990, Accession Number 141153; RCED-88-197BR, July 6, 1988, Accession Number 136310; OCG-89-16TR, November 1988, Accession Number 137342; T-RCED-89-9, February 21, 1989, Accession Number 138026; RCED-86-192, September 8, 1986, Accession Number 131121; RCED-86-61, December 13, 1985, Accession Number 128807; RCED-90-23, October 30, 1989, Accession Number 140018; and RCED-90-47, October 23, 1989, Accession Number 139806.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division. Budget Function: National Defense: Atomic Energy Defense Activities (053.0). Organization Concerned: Department of Energy.

Congressional Relevance: Congress; Rep. George Miller; Sen. Howard M. Metzenbaum.

Abstract: Pursuant to a congressional request, GAO evaluated the Department of Energy's (DOE) progress in resolving problems at its contractor-operated sites, focusing on the status of GAO recommendations concerning environmental, safety, and health matters relating to the nuclear weapons complex.

Findings/Conclusions: GAO noted that: (1) since 1980, it had made 54 specific recommendations to DOE on various environmental, safety and health matters; and (2) open recommendations to DOE called for program control

improvements and clearer standards and policies related to environmental, safety, and health matters. GAO found that: (1) DOE took corrective actions to fulfill 31 of the 54 GAO recommendations; (2) Congress established a Defense Nuclear Facilities Board to oversee operations within the nuclear weapons complex; and (3) DOE has instituted changes that should result in a higher degree of sensitivity to environmental, safety, and health matters.

#### 141525

**Nuclear Safety: Concerns About Reactor Restart and Implications** for DOE's Safety Culture. RCED-90-104; B-236604. April 12, 1990. Released June 11, 1990. 9 pp. plus 5 appendices (25 pp.). Report to Sen. John H. Glenn, Chairman, Senate Committee on Governmental Affairs; Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-89-53BR, October 27, 1988, Accession Number 137197; T-RCED-89-10, February 22, 1989, Accession Number 138031; and RCED-90-82BR, January 30, 1990, Accession Number 140826.

Issue Area: Energy: Ensuring the Safe and Environmentally Sound Operation of the Nation's Nuclear Facilities (6416). Contact: Resources, Community, and Economic Development Division.

Budget Function: Energy: Energy Information, Policy, and Regulation (276.0).

Organization Concerned: Department of Energy; Westinghouse Savannah River Co.; Department of Energy: Office of the Assistant Secretary for Defense Programs.

Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Senate Committee on Governmental Affairs; Rep. Michael L. Synar; Sen. John H. Glenn.

Authority: Federal Water Pollution Control Act.

Abstract: Pursuant to a congressional request, GAO reviewed the Department of Energy's (DOE) efforts to restart three nuclear production reactors at the Savannah River site in South Carolina. Findings/Conclusions: GAO found that: (1) the site contractor submitted a restart plan to DOE that detailed actions needed for restart; (2) the plan proposed

to restart one reactor in September 1990, and the other two in December 1990 and March 1991; (3) as of March 1990, the contractor was revising the plan to assess the effects of tasks added to restart requirements: (4) DOE planned to announce a restart schedule in April 1990; (5) the contractor planned to make safety, operational, and management changes by fall 1990 which could cause additional restart delays: (6) potential delays ranged from 1.5 months to over 2 years; (7) DOE needed to improve employee attitudes toward safety at the site; (8) the contractor intended for the plan and associated activities to address safety issues; and (9) the contractor prepared a management policy statement decribing implemented or planned culture changes, but the policy lacked a plan for measuring the success of those changes.

Recommendation To Agencies: To achieve the desired safety culture change in Savannah River reactor operations, the Secretary of Energy should require that Westinghouse prepare a comprehensive, integrated implementation plan with specific tasks, milestones, and measurement indicators. DOE should review the Westinghouse plan to ensure it is complete and then formally approve it. After approaching the Westinghouse plan, the Secretary of Energy should direct the Assistant Secretary for Defense Programs to use the plan, along with other factors, to establish the award fee criteria for the 6month award fee evaluation period beginning October 1, 1990. To ensure that safety culture is changed DOE-wide. the Secretary of Energy should develop a departmentwide plan for bringing about the needed changes in the safety culture in DOE and for contractors at other DOE nuclear facilities, to include measurement indicators.

## 141613

Toxic Substances: EPA's Chemical Testing Program Has Made Little Progress. RCED-90-112; B-232917. April 25, 1990.

Released June 20, 1990. 25 pp. plus 1 appendix (1 pp.). Report to Rep. Michael L. Synar, Chairman, House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; by J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division. Refer to RCED-84-100, June 13, 1984, Accession Number 124610.

Issue Area: Environmental Protection: Assessing Whether EPA's Toxic

Substances Control Program Is Protecting the Public (6815). Contact: Resources, Community, and Economic Development Division. Budget Function: Natural Resources and Environment: Pollution Control and Abatement (304.0).

Environmental Protection Agency; Interagency Testing Committee. Congressional Relevance: House Committee on Government Operations: Environment, Energy and Natural Resources Subcommittee; Congress; Rep. Michael L. Synar.

Organization Concerned:

Authority: Toxic Substances Control Act. Abstract: Pursuant to a congressional request, GAO evaluated the Interagency Testing Committee's (ITC) and Environmental Protection Agency's (EPA) implementation of the chemical testing program under the Toxic Substances Control Act (TSCA). Findings/Conclusions: GAO found that: (1) EPA and ITC had identified for testing less than 1 percent of the more than 60,000 chemicals in the TSCA inventory; (2) neither ITC nor EPA had produced a list of chemicals that did not require testing; (3) since the enactment of TSCA, EPA had completed test data for only six chemicals and had not finished assessing those; (4) ITC members' poor attendance may have contributed to its lack of crucial data needed to make recommendations; (5) after proposing test rules, EPA continued to take an average of more than 2 years to make them final; and (6) the EPA and ITC testing program lacked overall objectives and a strategy for achieving them.

Recommendation To Congress: To ensure that the chemical testing program achieves what Congress intended, Congress may wish to require EPA to develop a comprehensive plan setting forth objectives, a strategy, and time frames, and submit the plan to Congress for approval.

Recommendation To Agencies: The Administrator, EPA, should exercise EPA data-gathering authority on behalf of ITC under section 8 of TSCA to obtain the data that ITC needs to make recommendations. This can be done in phases so that industry is not overburdened. The Administrator, EPA. should work with ITC to improve its member participation. The Administrator, EPA, should place a high priority on issuing final test rules by ensuring that adequate staff resources are devoted to completing test rules within a reasonable time, such as the 12to 18-month time frame GAO recommended in 1984. The

Administrator, EPA, should develop overall objectives for the chemical testing program and a strategy for achieving those objectives. The objectives should identify, among other things, the universe of chemicals EPA needs to address and the pace at which it plans to address those chemicals.

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